

Those are the golden words that fell from the silver lips of my flibustering friend from the Smoky City of Pittsburgh, and as I pay him that compliment the smiling countenance of my genial friend from New York [Mr. WADSWORTH], who will be with us but one minute more, rises before me.

Mr. PHIPPS rose.

Mr. HARRISON. I do not want that view to become eclipsed by the more-disturbed countenance of my friend the Senator from Colorado.

Mr. PHIPPS. Will the Senator yield to me? I want to request that a letter be printed in the Record.

Mr. HARRISON. I have beautiful thoughts and wonderful visions before me, when I contemplate the Senator from New York [Mr. WADSWORTH], a man who in this body has made a splendid record, has ingratiated himself into the hearts of his colleagues, has so conducted himself as to win the confidence of the country. How sad! What a pity that now in these last few hours he would take unto himself such companionship and so deport himself as to mar that record.

The VICE PRESIDENT rapped with his gavel.

Mr. HARRISON. Oh, it is a shame to spoil a good speech like this.

#### FINAL ADJOURNMENT

The VICE PRESIDENT. It is customary for the Vice President, at the beginning and ending of a session of Congress, to address the Senate upon an appropriate subject. The comments the Chair has to make on this occasion will be very brief.

The Chair regards the results of the present legislative session as primarily due to the defective rules of the Senate, under which a minority can prevent a majority from exercising their constitutional right of bringing measures to a vote. This is the only great parliamentary body in the world where such a situation exists.

On this the closing day of the second session of the Sixty-ninth Congress, the Chair commends to the Senate the remarks upon the Senate rules which he made on the first day of the first session of this Congress.

The hour of 12 o'clock having arrived, the Senate stands in adjournment sine die.

### HOUSE OF REPRESENTATIVES

FRIDAY, March 4, 1927

(Legislative day of Thursday, March 3, 1927)

The recess having expired, at 9 o'clock and 30 minutes a. m., the House was called to order by the Speaker.

RESOLUTION COMMENDING HON. C. A. NEWTON, OF MISSOURI

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a short resolution adopted by the Mississippi Valley Association with reference to the services of our distinguished colleague, Mr. Newton of Missouri, who voluntarily retired from the House.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the Record by printing a short resolution adopted by the Mississippi Valley Association with reference to the services of the gentleman from Missouri [Mr. NEWTON]. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

*Resolved*, That the Mississippi Valley Association herewith expresses the appreciation of the citizenship of the Mississippi Valley for the substantial, meritorious, and worthy work done in the past eight years for the cause of waterways by the Hon. CLEVELAND A. NEWTON, leader of the waterway forces in the House of Representatives, on the eve of his retirement as a Member of Congress. The individual record of Congressman Newton during his many years of service in public life it is hoped will remain as a perpetual monument to his ability, enthusiasm, and perseverance in prosecuting a cause which not only is of benefit to his immediate constituents but also to the vast population making up the citizenship of the entire Mississippi Valley territory.

*Resolved further*, That the Mississippi Valley Association expresses the hope that Congressman Newton in his new undertaking in the law firm of which he is a member will secure the same high degree of success he has achieved during his congressional career.

*Resolved further*, That a copy of this resolution be transmitted to Congressman Newton, the members of the Rivers and Harbors Committee, and the Congress of the United States.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I have been so outrageously, brutally, and inhumanly treated by the Western Union Telegraph Co. in relation to the reception of cables that I wish to call attention to some extension of remarks I shall incorporate in the Record on the subject in the hope that other people may not receive like treatment from that corporation.

Mr. BLANTON. Why not use the Postal?

Mr. TREADWAY. I will say to the gentleman that the Postal has treated me well and the Western Union rottenly.

Confirming the statement that I have just made to the effect that I have been outrageously, brutally, and inhumanly treated by the Western Union Telegraph Co. in connection with the delivery of cable messages, I beg to submit the following facts. I am doing this in the hope that in some way a correction of this evil can be brought about, either through such condemnation as I can visit upon the corporation or through official action or court procedure. Nothing can excuse or justify my experience, but I hope to be the means of preventing other parents or friends of travelers suffering as my wife and I did for several weeks through the carelessness, laziness, and incompetency of Western Union employees. I apologize for placing in the Record my personal affairs, but in doing so feel I am acting only as any public official should act under like circumstances. The facts are as follows:

My only son has been traveling through Egypt and Africa. He is very careful to send me a cable at least once each week as to his whereabouts and well-being. I have received probably 20 cables in the last few months from him. My last message from him previous to the experience of which I speak was dated in Khartum February 1, and was promptly delivered to me by the Postal Telegraph Co. Knowing my son was proceeding through the uncivilized section of Africa south of Khartum, I made allowance for one week's failure to receive a message on the score of inaccessibility of telegraph communication. This condition, however, continued for more than three weeks, and cables sent by me were reported undelivered from Rejaf, which is in the southern part of the Anglo-Egyptian Sudan. This only added to our nervousness and worry.

I finally appealed to the good offices of the State Department, and through the courtesy of Assistant Secretary Carr on Monday, February 28, received word that my son was in Nairobi, ahead of his schedule, and that he was well. Not receiving a message direct from my son that day, by chance I inquired the next morning of the Western Union Telegraph Co. if there was any undelivered message for me in their possession. Later in the day I received a letter from the office in Washington, and with it were a message received from my son that morning and one which had been received February 24, four days previous. A copy of this letter appears in my letter to the State Department appended hereunder.

I sent for the signer of the above-mentioned letter and expressed to him very freely and forcibly my opinion of the company he represented. He acknowledged to me that no effort was made to deliver the cable of February 24. The following day, March 2, I called up and asked if any other cables had failed of delivery, and was then given two other messages, one of which had been received here on February 9 and one on February 19.

It will thus be seen that three cables, all addressed to TREADWAY, Washington, D. C., were undelivered, and the excuse for nondelivery was the statement made in the manager's letter that the name TREADWAY had not been registered at the price of \$2.50. I informed the gentleman that I was the only TREADWAY in Washington in the telephone book and had received a great many messages during my term of service in Congress, so that there could be no excuse that I could not be found or was not known. I had been solicited to have my name registered, but was not informed that the Western Union would make no effort to deliver a message unless the name was registered.

On further inquiry I find that neither the Western Union Co. nor the United States Government is a signatory party to the International Telegraph and Cable Regulations, which regulations are cited as the excuse for nondelivery. An intentional deception and fraud is therefore apparent.

I wish further to call attention to the act of May 27, 1921, entitled "An act relating to the landing and operation of submarine cables in the United States." In section 2 a direct reference is made to service in the operation and use of the cables. If there had been other serious abuses of the license privilege as in my case an excellent ground could be made for withdrawal of the license permit. I have placed the entire matter before the State Department for their investigation, and append

hereto a letter which I have written to that department on the subject.

I have yet to find a single person who in any way condones or justifies the gross carelessness and negligence of the company's officials. I might further say that although I asked the office manager to refer the matter to officials higher up three days ago, no word has come to me from any representative of the company. What future action I shall take or course I shall pursue is as yet undetermined, but I will assure persons who have occasion to use the cable that as a result of the treatment I have received some guaranty will be forthcoming that other parents or friends of travelers will not be subjected to the mental anguish we have endured at the hands of this corporation.

MARCH 2, 1927.

Hon. FRANK B. KELLOGG,

Secretary of State, Washington, D. C.

DEAR SIR: On either February 24 or 25 I called upon Assistant Secretary Carr, asking his assistance in locating my son, Mr. Heaton I. Treadway, traveling in Africa, from whom I had not heard since February 1. He is in the habit of cabling me weekly when traveling, and as more than three weeks had elapsed since the receipt of his last cable Mrs. Treadway and I had become very much worried. In fact, Mrs. Treadway has been ill, partly as the result of this worry, and confined to her bed. On February 28 this condition was relieved by word through the State Department that Mr. Treadway, Jr., was in Nairobi and was well.

By chance, inquiry was made on March 1 of the Western Union Telegraph Co. as to whether any cablegrams for me were undelivered. About 1 o'clock on that date I received a letter from the company, signed by J. T. Bresnahan, office manager, of which the following is a copy:

"In accordance with your telephone request to-day, I am sending you cable of February 24 and another dated March 1, just received, addressed 'Treadway—Washington.'

"International telegraph and cable regulations applying to telegraph and cable companies throughout the world provide for the registration of cable code addresses at a fee of \$2.50 per year, which in the case of Washington covers registration with the All America Cables (Inc.), the Radio Corporation of America, the Postal Telegraph Cable Co., and this company.

"The regulations furthermore provide that messages received bearing cable code addresses which are not registered shall be automatically reported through the originating office to the sender as being undelivered on account of the code address not being registered.

"If any more cablegrams are expected bearing the code address 'Treadway,' it is suggested that the address be registered to insure delivery by any one of the four companies in Washington which might receive it. We will be very glad to arrange for the registration, charging the fee to your account."

Attached to the above letter were two cablegrams, one of which was dated Kampala, February 24, and the other Nairobi, March 1. Upon further inquiry I have had delivered to me to-day through the Capitol branch of the Western Union Co. a cablegram dated at Melut, February 9, and another dated Rejaf, February 19.

I desire to inquire whether the reason given for lack of delivery, namely, that the name "Treadway" is not registered as a code address, is valid; also whether this Government or the Western Union Telegraph Co. are signatory parties to the International Telegraph and Cable Regulations, to which reference is made in the above-quoted letter.

In this connection I invite attention to the act approved May 27, 1921, entitled "An act relating to the landing and operation of submarine cables in the United States." Section 2 of this act provides "that the President may withhold or revoke such license \* \* \* or may grant such license upon such terms as shall be necessary to assure just and reasonable rates and service in the operation and use of cables so licensed."

Will you kindly inform me whether, in the opinion of the Department of State, the Western Union Telegraph Co., in the instances of non-delivery herein cited, has complied with the terms of its license wherein service is involved? While this matter is personal, it appears to me to present a most serious possibility. I believe I am justified in asking the department to make a thorough investigation of this situation, wherein officials of the Western Union Co. acknowledge that no effort is made to deliver cablegrams unless the name of the addressee is registered. The matter appears to me to be worthy of investigation for the protection of the public, and it is on this basis that I am requesting an official opinion from your department, as well as with a view to correcting this practice through means of governmental authority.

Awaiting your response and with high regards, I am, sir,

Very respectfully yours,

ALLEN T. TREADWAY.

The State Department's reply to the above communication has not yet been received by me, but I am violating no confidence when I say that unofficially the gentleman with whom I

have talked in the State Department consider the action of the Western Union Co. as inexcusable.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendment to the bill (H. R. 13503) entitled "An act authorizing and directing the Secretary of the Interior to investigate, hear, and determine the claims of individual members of the Sioux Tribe of Indians against tribal funds or against the United States," disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FRAZIER, Mr. McMASTER, and Mr. KENDRICK conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 1339) entitled "An act for the relief of Katherine Southerland."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 4305) entitled "An act to authorize the sale, under provisions of the act of March 12, 1926 (Public, No. 45), of surplus War Department real property."

The message also announced that the Senate agrees to the amendments of the House of Representatives to the bill (S. 1661) entitled "An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mrs. Patrick H. Bodkin."

The message also announced that the Senate agrees to the amendments of the House of Representatives to the bill (S. 3889) entitled "An act to regulate tolls charged for transit over highway bridges across the Red River between the States of Oklahoma and Texas."

The message also announced that, in accordance with the provisions of section 3 of the joint resolution approved June 5, 1924, entitled "Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes," the Vice President appointed WESLEY L. JONES, a Senator elect, as a member of the joint committee created under said act to fill the vacancy that will occur on March 4, 1927, by reason of the expiration of the term of service of the Senator from Oregon [Mr. STANFIELD].

The message also announced that the Senate agrees to the amendments of the House of Representatives to the following Senate bills and joint resolutions:

S. 2202. An act to grant the right and time for appeal to plaintiffs in suit No. 33731 in the Court of Claims of the United States;

S. 2643. An act to provide for the cooperation of the United States in the erection in the city of Panama of a monument to Gen. Simon Bolivar;

S. 2729. An act to authorize the refund of \$25,000 to the Columbia Hospital for Women and Lying-in Asylum;

S. 2965. An act to prevent discrimination against farmers' cooperative associations by boards of trade and similar organizations, and for other purposes;

S. 3170. An act to provide compensation for disability or death resulting from injury to employees in certain maritime employments, and for other purposes;

S. 3286. An act to amend the interstate commerce act and the transportation act, 1920, and for other purposes;

S. 3665. An act for the relief of the owner of the ferryboat *New York*;

S. 3963. An act to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon;

S. J. Res. 4. Joint resolution restricting the Federal Power Commission from issuing or approving any permits or licenses affecting the Colorado River or any of its tributaries;

S. J. Res. 110. Joint resolution authorizing a joint committee of both Houses to consider the purchase of the right to an unrestricted use of the Harriman Geographic Code system under patents issued, or that may be issued, and also the unrestricted use of all copyrights issued, or that may be issued, in connection with the products of the Harriman Geographic Code system for all governmental, administrative, or publication purposes for which the same may be desirable;

S. 4027. An act to authorize the construction of three cottages and an annex to the hospital at the National Home for Disabled Volunteer Soldiers, at Marion, Ind.;

S. 5339. An act to authorize the Secretary of the Treasury to enter into a contract to purchase, upon completion, a suitable



building for customs and other governmental purposes in the city of New York;

S. J. Res. 112. Joint resolution for the relief of Katherine Imbrie;

S. 3896. An act to amend section 11 of the merchant marine act, 1920, and to complete the construction loan fund authorized by that section; and

S. 1818. An act for the relief of Lillie F. Evans.

The message also announced that the Senate concurs in House Concurrent Resolution No. 56, providing for the appointment of a joint committee of the House and the Senate to join and participate in the celebration as representing the Congress of the United States in the observance of the one hundred and fiftieth anniversary of the meeting of the Continental Congress at York, Pa., September 30, 1777, and for other purposes.

The message also announced that the Senate insists upon its amendments to the joint resolution (H. J. Res. 207) to correct an error in the adjustment of the account between the State of New York and the United States, disagreed to by the House of Representatives, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. OVERMAN and Mr. NORRIS conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House of Representatives to the joint resolution (S. J. Res. 82) entitled "Joint resolution to amend subdivision A of section 4 of the immigration act of 1924," and requests a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. JOHNSON, Mr. WILLIS, and Mr. COPELAND.

The message also announced that a committee of two Senators be appointed by the Vice President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inquire if he has any further communication to make to them prior to the adjournment of the present session of Congress.

The message also announced that the Senate concurs in House Concurrent Resolution No. 53, to print a revised edition of the Biographical Directory of the American Congress up to and including the Sixty-ninth Congress.

The message also announced that the Senate concurs in House Concurrent Resolution No. 60, suspending for the remainder of the present session of Congress the engrossment and enrolling of bills and joint resolutions by printing.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1640) authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. J. Res. 207) to correct an error in the adjustment of the account between the State of New York and the United States.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled House bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 10504. An act to amend the act approved June 4, 1897, by authorizing an increase in the cost of lands to be embraced in the Shiloh National Military Park, Pittsburg Landing, Tenn.;

H. R. 12563. An act for the relief of Walter B. Avery and Fred S. Gichner; and

H. J. Res. 207. Joint resolution directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906.

The SPEAKER also announced his signature to Senate bills and joint resolution of the following titles:

S. 4247. An act to amend and reenact sections 3, 20, 31, 33, and 38 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," as amended by an act approved June 7, 1924, and for the insertion of a new section in said act between sections 5 and 6 of said act, to be designated as "5a" of said act;

S. 5788. An act to extend the time for constructing a bridge across the Mississippi River between the city of Anoka, in the county of Anoka, and the village of Champlin, in the county of Hennepin, State of Minnesota;

S. 1661. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mrs. Patrick H. Bodkin;

S. 1339. An act for the relief of Katherine Southerland;

S. 3889. An act to regulate tolls charged for transit over highway bridges across the Red River between the States of Oklahoma and Texas;

S. 4305. An act to authorize the sale, under provisions of the act of March 12, 1926 (Public, No. 45), of surplus War Department real property;

S. 5112. An act to provide for appointment as warrant officers of the Regular Army of such persons as would have been eligible therefor but for the interruption of their status, caused by military service rendered by them as commissioned officers during the World War;

S. J. Res. 110. Joint resolution authorizing a joint committee of both Houses to consider the purchase of the right to an unrestricted use of the Harriman Geographic Code system under patents issued, etc.;

S. J. Res. 152. Joint resolution to amend subdivisions (b) and (c) of section 11 of the immigration act of 1924, as amended;

S. 1640. An act authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes;

S. 3170. An act to provide compensation for disability or death resulting from injury to employees in certain maritime employments, and for other purposes;

S. J. Res. 4. Joint resolution restricting the Federal Power Commission from issuing or approving any permits or licenses affecting the Colorado River or any of its tributaries;

S. 3665. An act for the relief of the owner of the ferryboat *New York*;

S. 2202. An act to grant the right and time for appeal to plaintiffs in suit No. 33731 in the Court of Claims of the United States;

S. 2643. An act to provide for the cooperation of the United States in the erection in the city of Panama of a monument to Gen. Simon Bolivar;

S. 2729. An act to authorize the refund of \$25,000 to the Columbia Hospital for Women and Lying-in Asylum;

S. 2965. An act to prevent discrimination against farmers' cooperative associations by boards of trade and similar organizations, and for other purposes;

S. 3286. An act to amend the interstate commerce act and the transportation act, 1920, and for other purposes;

S. 3963. An act to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon;

S. 3896. An act to amend section 11 of the merchant marine act, 1920, and to complete the construction loan fund authorized by that section;

S. 4027. An act to authorize the construction of three cottages and an annex to the hospital at the National Home for Disabled Volunteer Soldiers at Marion, Ind.;

S. 5339. An act to authorize the Secretary of the Treasury to enter into a contract to purchase, upon completion, a suitable building for customs and other governmental purposes in the city of New York;

S. J. Res. 112. Joint resolution for the relief of Katherine Imbrie; and

S. 1818. An act for the relief of Lillie F. Evans.

ARTICLE BY HON. FREDERICK M. DAVENPORT, OF NEW YORK

Mr. ARENTZ. Mr. Speaker, I ask unanimous consent to place in the RECORD an article by our colleague, Mr. DAVENPORT, of New York, on water power.

The SPEAKER. Is there objection?

There was no objection.

Mr. ARENTZ. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

[From the Outlook, New York City, March 2, 1927]

WATER POWER AS A POLITICAL ISSUE—(1) MUSCLE SHOALS—(2) ON THE COLORADO—(3) ON THE ST. LAWRENCE—WHO GETS THE POWER PLANT?

By HON. FREDERICK M. DAVENPORT, of New York

There are important issues international which have a bearing on the welfare of our country in China, in Mexico, in Nicaragua. There is a domestic issue which seems to fill, at the moment, the vision of a large element of our population—the liquor issue. But there is no domestic issue of actually greater economic and political proportions than the issue of adequate control of the major water-power resources of the country.

The use of hydroelectric energy, produced at the lowest possible cost, means vast saving of the coal supplies. It means the wide extension to farm and home and factory of the extraordinary creature comforts of light and power. Hydroelectric energy we shall have with us as long

as clouds gather moisture and rivers run. The water-power resource occupies, as the Federal Power Commission has said, "a peculiar status in the public mind." There is a widespread concern that the consuming public may be paying unduly high prices for light and power through excessive capitalization for rate-making purposes. There is a fear that public regulation has not developed rapidly or efficiently enough to meet the situation. The truth probably is that sometimes it has failed to protect the public, sometimes it has failed to protect the utility. There seems to be a growing desire in the public mind to have this great resource developed, side by side with a growing restiveness of mind about the economic and political effects of it all.

The American people, I believe, desire the permanent prosperity of this gigantic business of electrical energy, whether generated by coal or water. It is becoming a very great industry, even though yet in its infancy. Its interconnections and mergers are stretching from sea to sea. The superpower growth, linking great systems into a useful whole, is capable of enormous saving to the companies and to industrial efficiency. Also it is capable of enormous monopoly extortion. An adequate public control of this modern economic giant, both in its superpower and giant power forms, is becoming an issue of broader proportions every year.

#### KEY CENTERS

At the present time the attention of the country is directed particularly to the water-power phase as it appears already on the Tennessee at Muscle Shoals, on the St. Lawrence, and on the Colorado. The instinct of the country seems to be that these are key centers of vital importance. On the Tennessee the National Government, under the impulse of prospective war need for the cheap manufacture of nitrates for explosives, rushed into the construction of the famous dam and power station which bear the name of Muscle Shoals before anybody had a very definite notion of what we were going to do with the power after we produced it. No contracts were entered into with anybody in advance to take the surplus power. The Federal engineers have done a notable piece of work in construction, but most of the available power is now running to waste because Muscle Shoals has become a political issue. The Government is waiting for a policy from Congress. The utility companies which have distributing systems in that area are eagerly waiting to get a combined hand on the power plant at the lowest available terms. The farmers wish to make it predominantly a fertilizer-producing center, although it is becoming plainer every day that no such amount of power is likely to be necessary long for fertilizer production at any particular point. The fertilizers of the future seem likely to be the products of synthetic chemistry, requiring little hydroelectric energy. Nevertheless, all the power that can be economically used for agriculture at this southeastern center of the country should be so used. This has been the declared national policy concerning this project from the beginning.

Different groups are struggling to get Muscle Shoals for various purposes, while the attitude of political leadership upon the issue seems to be uncertain and inclined to give the whole matter up as not of great consequence, anyway. Here, it seems to me, the instinct of the people is sounder than the instinct of some political leaders. And it is the fear of the strength of that instinct on the part of the people which is giving Washington pause, in the hope that sound policy may grow upon political vision.

We shall never get on at Muscle Shoals, so I think, until we definitely determine who is to sit at the switchboard of that great power plant which we have constructed and set the policy for the whole region.

There are various interests to be taken care of, and the Government of the United States or one of its public agencies, like the Federal Power Commission, acting directly through Federal engineers, is the only fit arbiter. A certain amount of power will be required even for the predominantly chemical reduction of nitrates for fertilizers.

Nobody will begrudge whatever amount is required for the farming interests. Also Florence and Sheffield and the surrounding communities of Muscle Shoals will naturally get, and should get, a certain amount of electrical energy for the development of general manufacturing. And the surplus above this, whatever it is, should be used under contracts with the existing utility companies over an area of probably 300 miles in radius. The Tennessee is a vast waterpower resource for the whole southeastern part of the country, and this resource belongs to the region. It should never be allowed to be wasted uneconomically for agricultural nitrates nor monopolized locally by electrochemical manufacture. Local monopolization was the blunder, perhaps a natural blunder at the time, on the American side of Niagara. The power there belongs to the region. It is the cheapest power on the American continent. But, as the Federal Power Commission has pointed out, three-quarters of it is wholesaled away to local corporations within the city limits under long-term contracts, while the city of Buffalo, a few miles distant, must supply its industries and its citizens from steam-generated power. The plainly necessary apportionment in the public interest of electric energy in the vast southeastern region of the country can best be made, so it seems to me, not by licensing some private utility company in the region or some combination of utility companies to take over the power plant and act as arbiter of the lives and fortunes of

great numbers of people and numerous conflicting interests, but by the Government of the United States, acting directly through the engineers of the War Department or indirectly through the Federal Power Commission, if this commission can obtain from Congress sufficient allocating and contractual authority to do the work.

A similar control is proposed as an alternative method at the famous Boulder dam project in the Southwest, a bill for which has recently been reported to the House and to the Senate of the United States. Under this bill the Secretary of the Interior may sit at the switchboard and apportion the power by contract with the city of Los Angeles and some 25 other communities, with the power companies, and among the States which participate in the Colorado compact.

#### PRIVATE OR PUBLIC INITIATIVE

Whether you examine the issue at Muscle Shoals, on the Colorado, or on the St. Lawrence, you find that the bottom question is, Who is to control the power plant? Who is to have title and actual possession? I gather that this matter is highly important, because as soon as the Boulder dam and power bill was recently reported to the House of Representatives, long, technical telegrams began coming to Members of Congress from many different parts of the country, from plain folks away back on the hills of Utah, Wyoming, and Colorado, and many other points, protesting against the American people being caught with this power plant on their hands; dear folks who would unquestionably hardly know a penstock from a turbogenerator if they saw them rolling down Pennsylvania Avenue.

The argument being made against construction, ownership, possession, and operation of the power plant in connection with the dam at Muscle Shoals, on the Colorado, and on the St. Lawrence, is that it will put the Government into business. Personally, I agree that the greatest development possible of sound private initiative is the thing for any country. It has made America. But there are points at which private initiative is not the thing. Post offices, lighthouses, and municipal water plants are generally agreed to do better in public hands. They are key matters of public interest, simple in their nature, and the sort of thing that does not lend itself to private profit.

It is well to raise the question as to whether the great hydroelectric plant at Muscle Shoals and the proposed plants at Boulder Canyon and at the Long Sault, dispensing the blessings and profit of vast public resources to many interests and to many millions of people, do not belong to the range of projects which have an unusual measure of public initiative and operation. In my opinion, that is the heart of water power as a political issue, and the main purpose of this article is to discuss this particular phase of the whole problem.

#### BOULDER CANYON

Let us next examine the facts about power out on the Colorado River at Boulder Canyon, just now sharing with Muscle Shoals the attention of Congress.

The Colorado River is the roaring giant of the Rockies, one of the great rivers of America. It flows through six of the Intermountain and Southwestern States on its way to the Mexican Gulf of California and the sea. The average annual discharge of the river is about 17,000,000 acre-feet—that is, enough water to cover 17,000,000 acres a foot deep. There are times in its flood when its discharge is said to be over 200,000 cubic feet a second. The melting snows of Colorado and Wyoming make it during a part of every year a menace to 60,000 Americans, agricultural dwellers in the Imperial Valley of Southern California. The reason for this is that the river carries down every year an enormous amount of silt and deposits it along its lower course, building up a delta higher and higher just on the rim of the Imperial Valley, which is below sea level.

In 1905 there was a terrible inrush of water, which was with great difficulty finally controlled. A far greater disaster may overtake the Imperial Valley in any year. There is a national opinion in favor of scientifically controlling the flood of the Colorado to protect the Imperial Valley, if for no other reason whatever. But there are other reasons. It is possible to use the water of the Colorado for irrigation purposes much less wastefully than at present, and over a much wider area. But chiefly, next to the safety of the Imperial Valley, there is here a vast water-power resource going to waste, capable of generating, it is estimated, when fully harnessed at all points, 8,000,000 horsepower of electrical energy.

The Boulder Canyon project is only one of the many which later may arise along the Colorado, but it is of itself a project of great proportions, involving 1,000,000 horsepower. It contemplates a dam 550 feet high at a site where the river forms the boundary between Arizona and Nevada. Back of this extraordinary natural dam site is a natural reservoir site where 26,000,000 acre-feet of water may be imprisoned and the flood of the river entirely controlled. The dam is to cost about \$40,000,000, the power plant about \$30,000,000, and a new all-American canal from the river to the Imperial Valley is to cost \$30,000,000 more. The balance of the total estimated expenditure of \$125,000,000 is interest on the cost of the works during their construction.

Here is a gigantic national enterprise, and power is at the heart of it.



The profit from the power produced will pay for the project entirely within 25 years, so it is estimated. Whoever controls the power controls vast economic authoritative influence, distributes blessings or cursings to a great region, and stands arbiter over the interests of millions of people, cities, farms, corporations, States. And the main point of ardent interest has come to be, Who is going to possess and control the power plant? Everybody agrees that the National Government should construct and possess and operate the dam. Nearly everybody agrees that when you get past the power plant, the distributing systems entirely should be in private hands. The business of hydroelectric distribution is a highly intricate business, and on a wide scale is not fitted for public operation. But how about the business of turning on the power at the hydroelectric plant? According to the testimony of men like John Liston, of the General Electric Co., and I am informed that it is also the opinion of Owen D. Young, the modern hydroelectric plant has been reduced to a rather remarkable simplicity through the invention of nearly 100 per cent foolproof, very slowly obsolescing, automatically controlled machinery.

#### INVESTOR VERSUS CONSUMER

Why, then, the political struggle now going on at Washington and at Albany, to get the power plant out of Government hands and into private hands? It has been said aforetime that the hand that rocks the cradle rules the world. It appears also to be true that the hand which rules the switchboard is at least in a strong position to rule the rates of power to the consumer. The struggle for the construction and possession of the power plant, even under a license for 50 years with cautious provisions for recapture, is the old struggle between the investor and the consumer. Thanks to the long conflict with commissions and courts and the protection of the fourteenth amendment, the public utility investor is coming into his own. Nobody objects to this, if it doesn't go too far. Investments must be safe. The development of the country can not go forward unless we assure those who put their savings into investments for public improvements that they will get a reasonable return for their capital. There ought not to be a conflict between those who invest money in securities of the character known as public utilities, on the one hand, and the consumer, on the other. If investors will be satisfied with what is a fair and reasonable return upon capital really invested, there is no such controversy. Controversy comes when the grant or governmental power is capitalized for promotion purposes and when under the process of regulation the consumer's interests are left inadequately safeguarded.

It is becoming better and better understood in this country that the public-utility consumer who attempts through commissions and courts to secure a reasonable rate when he feels himself aggrieved is under a substantial handicap. The utility company is operating under a license to use a natural resource which has all the effect, so far as legal and constitutional protection is concerned, of a grant or conveyance for a term of years. And the company has in its favor all the legal processes and constitutional safeguards of private property. The determination of the facts is under the so-called police power form of regulation. That involves a long litigation. There is a difference of opinion as to the value of the investments. Experts are employed on both sides, and the thing takes on the form of a great battle, with years of delay before there is a final decision, with the consumer in most instances left helpless because he is not equipped adequately to present the public side of the case. The tendency of court decisions, reaching a climax in the recent Supreme Court opinion in the Indianapolis water-power case, is to permit reasonable promoters' profits, reproduction costs, going values to be reckoned into what becomes for rate-making purposes actual investment cost. And the consumer too often pays the freight, while the investor correspondingly flourishes.

#### THE CONTRACT AS A SAFEGUARD

In the northeastern section of the country the St. Lawrence project is immediately in the public eye and bids fair to be a form of political as well as economic testing in the State of New York. I pass over the greatness of this St. Lawrence resource, more than a million and a quarter horsepower in the possession of New York State alone. I make no more than mention of the 10,000,000 tons of coal yearly which might be saved on the New York side by the use of hydroelectric energy now going to waste on the St. Lawrence. I draw no picture of the added comfort, happiness, and prosperity to the people of this Commonwealth and to sister States near by. I direct thought only to the core of the problem—whether on the St. Lawrence, or at Muscle Shoals, or on the Colorado—what shall the answer be to the question of fair, firm, and adequate control in the public interest?

Neither of the major political parties, while originally far apart on the issue, would now lead the State of New York into the business of the distribution of electric energy. The question is, first, whether the State is to have the opportunity to build the dam and power plant itself, or whether the Federal Government will take the initiative and develop the power, as well as increase the navigability of the St. Lawrence. If this does not take place, then the question is upon the actual construction, possession, and operation of the great dam and power plant, if New York takes the initiative. Shall the dam and plant be built and operated by a private corporation under the State

water power act, leaving the ultimate consumer to the tender mercies of a relatively inadequate regulation by commissions and courts; or shall the State or a public authority build and operate the dam and hydroelectric plant, using the contract-making power to curb more fully the distributees and completely prevent the exploitation of the St. Lawrence energy by private companies? By the use of the contract-making power I mean, of course, the making of a bargain in the form of a mutual contract which is safeguarded by the Constitution of the United States and enforceable against both parties, even though one of those parties is the National Government or a State.

In fact, the nub of the issue might be even simpler than the question of who is to build and operate the dam and the plant. I have no doubt that the State of New York or a public authority could employ the best private engineers in the world to do the job of construction. But if the State became timid at this point, I can conceive it as being willing to agree to ask national engineers, Canadian and American, to supervise and build all the structures. Still the issue would come over the occupancy and operation of the power plant. Who shall actually sit at the switchboard and allocate and sell the power to the distributors, and under what conditions, if at all, shall a private company be allowed occupancy of the plant?

In New York the complications connected with the regulatory process through the public-service commission, while not greater than in many other States, are manifest.

My observation of the New York Public Service Commission leads me to conclude that, valuable as the work of that body has been, as an institution it has not measured up to the expectations of those who originally created it. Without trying to apportion political blame, I think it must be conceded that the exigencies involved in the selection of appointees for this regulatory body have not made for continuous policies and for the retention of the expert knowledge required for the effective functioning of such a commission, meeting, as it must, continuous management and continuous expert service in the public-utility corporation.

#### POVERTY-STRICKEN COMMISSIONS AND NIGGARDLY GOVERNMENTS

And there are certain other weaknesses of a very plain and understandable sort in New York State and everywhere else inherent in purely public-commission regulation. Commission control costs a great deal of money, and legislatures and Congress are proverbially niggardly at critical points of administration. If you go to Washington and try to find out some of the pending problems of the Federal Power Commission, you will discover that this inadequacy of staff equipment results in a situation like this: For example, a water-power company on an international stream carries more than \$30,000,000 of capital unclassified on its books. It wishes to classify in terms of its own appraisal, and the Federal Power Commission simply has not the time nor the men to give to the settlement of the controversy. Whether the rates charged to the consumer by this corporation are just or not will never be known until some commission is possessed of the time and skill to go to the bottom of the matter.

A perfect illustration of the baleful influence which is always ready to play against efficient commission regulation is indicated by an astounding bit of propaganda just made public by the Federal Power Commission.

This commission is just now making an effort with Congress to obtain authorization for a modest increase in the number of skilled employees. The propagandist flimsy circulating in newspaper offices and among Representatives and Senators runs after this fashion:

This commission is getting along pretty well as it is. It now proposes to go into further matters of regulation of rates and services, thus duplicating what most of the States are doing! Many of the hydroelectric power companies have encountered difficulties in the way of regulation when they have either voluntarily or otherwise brought existing developments under Federal license with this commission. The commission does not really make valuations! It attempts to work out net investment which may be accepted by public authorities. This memorandum has not been prepared in the interest of any particular power corporation, but as a proposed movement which might seriously affect the general welfare of hydroelectric companies, operating under the Federal Power Commission.

The reply of the commission to this subtle attempt to undermine its efficiency is that, with its present force it is very difficult to get at the costs and expenditures alleged to have been incurred or paid prior to the time when the license is issued to a corporation. It declares that it is the prevailing practice of power companies to pad statements of this kind with everything that the imagination can devise, and then frequently to add compound interest, even though no interest has ever actually been paid. Unless the commission is in a position to examine into the validity of claims thus made, scores of millions of dollars of so-called "costs" will be added to the capital accounts of licensees of the commission in violation of the law, and these additions will become permanently a part of the rate base and a part of the price to be paid if the United States elects at the end of the license period to exercise its option to purchase the properties. Naturally, many licensees object to having their proposed illegitimate additions to capital accounts discovered and eliminated. They would

much prefer that the commission should be so handicapped by lack of personnel that it could do nothing but accept whatever they might present.

This propaganda presumably is regarded as wily strategy. Anyway, it exhibits a very unfriendly reaction to a remarkable piece of work recently done by the Federal Power Commission in connection with the Conowingo project in the State of Maryland, where a financial killing seemed as good as made, but was frustrated by the vision and acumen of the Federal Power Commission, exercised for the benefit of the consumer, and for the benefit of the utility, too, if the whole truth were told. This Conowingo project was to cost about \$54,000,000.

What did the promoters wish to do? They wished to raise \$38,000,000 by bonds at 5½ per cent, \$18,000,000 through the issue of preferred stock at 8 per cent, and then they were going to sell 94,200 shares of common stock which cost them 53 cents a share for \$25 a share, which would have netted the promoters a profit of \$2,305,000 at the start. That was stopped. The Federal Power Commission said: "You will sell your common stock for actual cash, for what you paid for it, and no more; and that, plus what you get for your bonds and what you get for your preferred stock and what you actually spent in construction work, will be the capital cost which you will be permitted to set up on your books, and not a penny more."

#### POLICE POWER PLUS

The increasing perils of mere commission regulation are not imaginary. Wherever the police power can be fortified by the use of the contract-making power of government, the public interest is more secure. Why at these strategic water-power centers of the country, public resources of the first magnitude, should not the National Government on the Colorado and the Tennessee, or the Federal or State Government on the St. Lawrence, perform the simple function of turning on the power at the switchboard and retain final authority over the erection, possession, and operation of all the structures? It is not simply that the interests in this region are varied and that the natural arbiter is a government. It is not simply that the National or State sovereignty, or a public authority representing them, can borrow money for these projects more cheaply and employ fully as capable engineers. It is not simply that the public authority, either direct or indirect, would be nonprofit making and thus be in a position to furnish a vast new flood of electrical energy to consumers at greatly lowered cost. But it is that the Nation or the State, or a public authority representing either, might employ the contract-making power of the Constitution to compel justice to the consumer and to prevent unwarranted profit to the distributing corporation.

These great new floods of hydroelectric energy to be produced on the Tennessee, on the Colorado, on the St. Lawrence belong to all the people of the respective regions. If these new floods of energy are to pour for the most part into the existing distributing systems of private companies, they, of course, become entangled with great private capitalization and with a rate-making system subject to the increasingly unsatisfactory regulatory processes of State public-service commissions. These great new public floods of electric power enter the accounts of the distributing companies as an operating charge. Because of the relative cheapness to the companies of this public energy, the general operating cost for the whole distributing system is lessened. This is a real gift which should be reflected in a schedule of lowered charges to all consumers in the system. In view of the relative frailty of commission control, why at these great key centers should not the distributing company, which purchases this public energy, be required by contract to agree in advance that the general rate for electrical energy throughout the distributing system shall be lowered at once by an amount calculated in accordance with the lower operating cost? Or, more thoroughly yet, why should not it also be made a part of the contract that the distributing company submit to a determined and agreed-upon fair valuation of its existing property before it obtains this splendid asset of low-cost public power, doing no fundamental injustice to the present investor, but providing that all new property in the system should be capitalized for rate-making purposes in the future in terms of actual investment? This was in substance the method followed by the city of Chicago in the settlement of its controversy with its transportation utilities not so long ago. There are other possibilities of the use of the contract-making power which should be carefully studied.

Of course, no public authority should be permitted or will be permitted to exercise its power arbitrarily, but under the process of the contract-making principle of control will it not be a simple matter for any court, on an application for injunction, to determine what are the actual terms of the contract and whether they are being properly carried out? This is different litigation altogether and far simpler than litigation over rate regulation within the police power.

#### ALTERNATIVE—A NEW ANTITRUST CRUSADE

I am raising the question of a more adequate form of control, it will be observed, only at those great key centers of national water-power resource where the value of the governmental grant is so manifest and so dominating. Some day we shall face the same problem on the Columbia River at the fourth great corner of the country. Such a

process of control at these points will be a sort of public yardstick to the whole water-power industry and will act as a test of rate-making justice in vast regions of the country. The very picture of these projects might have a sobering effect upon incautious greed elsewhere.

It is a great source of comfort to students of economic and political progress that so reasonable a view is recognized as sound by men of vision in the economic world like Owen D. Young, who is lending his experience and intelligence to this sort of a solution on the St. Lawrence. No doubt he has his troubles with men of less vision in the great industry which he represents. But I hold that the best conservative in public life to-day is the man who can foresee the trend of events and who seeks to protect business and the public from the recurrence of the great antitrust and antimonopoly crusades which have so disturbed the economic and political life of the Nation in times past.

#### PROVISIONS AND PURPOSES OF S. 4530

Mr. COLTON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter I have received from the Chief of the Bureau of Public Roads on the purposes and provisions of Senate bill 4530.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLTON. Mr. Speaker, under leave to extend my remarks I submit a letter from the Chief of the Bureau of Public Roads.

The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,  
BUREAU OF PUBLIC ROADS,  
Washington, D. C., March 2, 1927.

Hon. DON B. COLTON,

House of Representatives.

DEAR MR. COLTON: In compliance with your request the bureau interprets the language of the bill S. 4530, as follows:

This section provides that in the case of any State where the unappropriated public lands and nontaxable Indian lands exceed 5 per cent of the total area of all lands in the State in which the population does not exceed 10 per square mile the Secretary of Agriculture may, upon request from the State highway department, increase the Federal aid percentage up to and including the whole cost thereof, on the most important roads of the Federal-aid highway system and connections. The total Federal aid allotted on projects during any fiscal year will not exceed under this measure the total payable under existing laws in such State. It would only require any State receiving more than the previous legal pro rata on any specific project to accept a lesser pro rata on some other project or projects in order that the total Federal aid allotted in any fiscal year would not exceed the present legal pro rata.

This provision would permit a State to finance the construction of an important through route traversing a section of low taxable values largely or wholly with Federal aid, but would require a balancing of the total Federal aid allotted through the acceptance of less than the legal percentage of Federal aid on projects in wealthier sections. It would not relieve the State from matching the total Federal funds allotted during any fiscal year for all projects with the legal State pro rata share.

The purpose of the measure is to allow flexibility between individual projects while maintaining the same percentage of contribution on the part of the State and on the part of the Federal Government on the total program for any fiscal year. The participation of each remains the same.

Trusting this gives you the desired information, I am,

Sincerely,

THOMAS H. MACDONALD,  
Chief of Bureau.

#### PULLMAN CAR SURCHARGE

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Pullman surcharge and to include in my remarks a resolution passed by the National Council of Traveling Salesmen.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD on the subject of the Pullman surcharge and to include therein a resolution passed by the National Council of Traveling Salesmen. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker and gentlemen of the House, this surcharge was imposed by the commission in 1920 without any hearings, simply to counterbalance a wage increase then ordered, which has been more than wiped out by subsequent reductions, although this charge has been allowed to remain.

But once having obtained the revenue from this tax, without any hearings or evidence whatsoever, the railroads were



naturally put to their utmost efforts to give a rational explanation for continuing it.

Let us examine, for a moment, the slim and specious basis upon which they sought to sustain the charge at the last hearings before the commission, by which they succeeded in convincing only 4 out of the 10 commissioners of their viewpoint.

They stated that since Pullman cars were steel and thus very much heavier than coaches, besides holding many less passengers, it was more expensive for them to carry a Pullman passenger than a coach passenger.

Now, what became of this contention at the hearings before the commission, and at the hearings before your committee in the Senate?

It was shown that not only had they grossly exaggerated the difference in weight between Pullmans and coaches, by special studies made without the supervision of the commission, but modern steel coaches, which have already largely supplanted wooden coaches, weigh as much as a Pullman car. That is, they were basing their contention on an obsolete or at least obsolescent condition. Furthermore, the witnesses admitted on cross-examination that steel cars were a great advantage to the carriers over wooden cars, and that they were glad to have them from the Pullman Co. In other words, they were seeking to charge the public with something which was of itself a great benefit to them.

Now, as to the claim that Pullman cars hold less, have a smaller passenger capacity, than coaches. It is certainly true that they have. But what difference does that make? Again, it was merely a cover-up argument to sustain a charge that had originally been gotten by the carriers without the need of proving their case. For, of course, it is not the possible number of passengers that could be carried in coaches and Pullmans, respectively, not the mere capacity, but the average number of passengers which actually is carried—that is, the actual occupancy of the coach and Pullman services which should be compared. Pullman cars are always more nearly filled to capacity than coaches, because of the making of reservations in advance and because the major portion of Pullman traffic is in the heavy lanes of travel and the major portion of coach travel in the thin lanes of travel.

Now, it appeared upon the hearings that whereas the railroads had made this irrelevant contention regarding the relative capacity—i. e., the number of passengers that can be carried in coaches and Pullman cars, an average of 13 passengers are carried every mile of Pullman travel, whereas an average of 14 passengers are carried every mile of coach travel, a trifling difference of one passenger, for which the surcharge would compensate the carriers tenfold.

But further than that, even if the claims of the carriers as to weight had been sustained, it will be readily apparent to you who have given consideration to railroad matters that weight carried is a comparatively small factor in the total cost of transportation. It affects fuel costs and about one-third of the roadway expenses, and it does not even affect fuel cost in direct proportion to weight.

Thus even the difference in weight carried per passenger—because Pullman cars actually carry on the average only one less passenger per mile than coaches—would have an inappreciable effect.

But, on the other hand, the benefits of Pullman transportation to the carriers are patent, and far overbalance any question of weight carried. In the first place, the Pullman passenger's average journey is more than eight times that of the coach passenger. A passenger uses a terminal only at the beginning and end of every journey, and thus coach passengers incur more than eight times the amount of terminal expense that Pullman passengers incur.

The commission has frequently called attention to the immense importance of this long-haul factor in comparing the cost of various services, and if you will recall the claims of the railroads before your own State commissions you will be perfectly satisfied of the great gain to the carriers of long haul over short haul travel.

More than this, as I said above, the bulk of Pullman transportation is in the heavy lanes of travel and the bulk of coach transportation in the thin lanes of travel, so that in Pullman transportation the carriers have all the great advantages of intensiveness of use, cutting down labor and overhead costs, and producing a much greater return on an equal amount of investment. In other words, all the enormous advantages of volume production.

And, besides, did you know that the Pullman Co. pays all of the expenses of maintenance, depreciation, car attendance, cleaning, laundry, taxes, and insurance, all of which have to be borne by the carriers in the instance of coach travel?

And furthermore, you know that the Pullman Co. furnishes all the cars in which Pullman passengers ride, instead of their having to be furnished by the carriers as in the case of coach service.

The minority of the commission, which decided in favor of continuing the Pullman surcharge, said of this fact:

The actual saving in respect of capital investment can not, of course, be considered as an actual saving, for respondents would be entitled to a fair return on the capital investment if made by them.

And then this minority proceeded to consider the case as if that capital investment in cars were made by the carriers and not by the Pullman Co. In other words, they failed to take into consideration at all that the Pullman Co. furnishes the cars. According to them, if the railroads did not have a cent devoted to Pullman service, they should get just as much, regardless of that, from the Pullman passenger as from a coach passenger, despite the fact that the passenger had already paid the Pullman Co. a return on its investment in cars.

And you knew, of course, that in addition to all this—and the railroads themselves admitted before your committee that the long-haul, heavy-lane travel, which is the Pullman travel, is the cream of their passenger business—you knew, of course, in addition to all this, that the railroads have contracts with the Pullman Co. which no one forced them to make, and under which they receive, in addition to the surcharge, \$10,000,000 to \$12,000,000 annually of the fares obtained by the Pullman Co. from the Pullman passenger.

Having made these contracts and sought to get all they can from the Pullman passenger through one channel, they now seek to justify getting more in another way—getting paid twice for the same service.

These are the reasons why the indisputable figures introduced before the commission and brought out on cross-examination by the representatives of the public showed that Pullman service, without the surcharge, yields the carriers a greater net revenue, mile for mile, than coach service.

These were the reasons why the expert analyst of the commission assigned to the investigation found the expense to the carriers of conducting Pullman service to be very substantially less than the expense of conducting coach service mile for mile. These were the reasons why the only examiner of the commission who heard the evidence reported unequivocally that the surcharge was a discrimination against Pullman passengers, was unreasonable, and ought to be abolished.

These were the reasons why the only two commissioners who heard any of the evidence voted unqualifiedly for the abolition of this unjustifiable exaction. These were the reasons why not more than four members of the commission, none of whom had heard the evidence, reported the surcharge reasonable.

These are the reasons which, aside from all other considerations which have been or will be brought to your attention for the removal of this discrimination, must compel this body to give relief by discontinuing this last war-time hang over.

Mr. Speaker, under leave to extend my remarks I include at this point a resolution of the National Council of Traveling Salesmen, together with a copy of H. R. 4497, which is identical with S. 1143:

Resolution and petition to Congress for S. 1143, "to repeal the war-time Pullman surcharge," representing 912,000 traveling salesmen of the Nation, the 1,000 delegates of the various trade, territorial, and fraternal divisions of the country, here assembled in joint session in the city of New York, on Thursday, the 6th day of January, 1927, do hereby pass, approve, and submit to the Congress of the United States of America the following resolution and petition:

Whereas the so-called Pullman surcharge was instituted by the Director General of Railroads under Government operation during the recent war in order to discourage unnecessary civilian travel and to leave transportation facilities more free for war operations, as has been publicly stated by the then director general, and such charge was accordingly discontinued by the director general in 1918 immediately after the armistice; and

Whereas the surcharge was reinstated by the Interstate Commerce Commission after the close of the hearings in increased rates, 1920, without any hearing whatsoever to justify such charge as a legal rate and without application by the carriers, but purely on its own voluntary motion and merely as a temporary expedient to counterbalance in part an increase in wages then announced by the Railroad Labor Board and estimated at \$618,000,000 a year; and

Whereas the actual increase of such Railroad Labor Board award proved to be only \$518,000,000, and even this has been wiped out by later wage reductions; and the carriers, through subsequent changes in working conditions now save an additional amount of some \$400,000,000 yearly in wages as against the rules in force when the said

surcharge was imposed, nevertheless the Interstate Commerce Commission has failed to discontinue the collection of the war-time Pullman surcharge still being imposed on the public eight years after the war is over, in spite of the fact that the very reason moving the commission to reinstitute the war-time charge has been eliminated; and

Whereas the carriers have been and are attempting to pit one section of the public against the other in disregard of the public's real interest by threatening the great farming interests that there can be no reduction in freight rates if the Pullman surcharge is removed, and by threatening the traveling salesmen that they can have no relief on the surcharge if farm rates are reduced, while the fact is that, as indicated by the carriers' actions, their intention is to make no substantial reduction in either freight or passenger rates, but on the contrary their real intention is to demand increases for which no justification in fact exists; and

Whereas, as far back as 1923, when the hearings in the Pullman surcharge case were in progress before the commission, the carriers themselves admitted a return of 5.19 per cent on the tentative valuation fixed by the commission in accordance with the provisions of the transportation act; and

Whereas the great bulk of the surcharge goes to roads that even in 1923 were earning in excess of the return prescribed by law; and

Whereas it is common knowledge that since 1923 the condition of the carriers has remarkably improved, to the extent that, as a whole, they are now earning far in excess of 5.75 per cent on the commission's valuation, the return prescribed by law, so that there is undeniable opportunity and sound economic reason for the removal of the Pullman surcharge, as well as freight-rate reductions many times exceeding the amount of the Pullman surcharge; and

Whereas because of its deterrent effect on travel the Pullman surcharge was followed by a decrease of more than 200,000,000 Pullman revenue passenger miles in the first month after its reinstatement by the commission and more than 6,000,000,000 revenue passenger miles in the period of two years and eight months preceding the hearings before the commission; and

Whereas with the Pullman surcharge the amount now received by the carriers per Pullman passenger in addition to his regular transportation fare is 989 per cent of (more than nine times) the carriers' average annual receipts from this source in the three years preceding the war and is an arbitrary differential between coach and Pullman traffic unfairly exacted from the passenger who has already paid the Pullman Co. for the extra service rendered him; and

Whereas Pullman service costs the carriers less to conduct and yields them a greater net revenue than coach service because of the facts, among others, that the Pullman Co. owns and supplies all equipment used by Pullman passengers and the maintenance facilities behind that equipment; that the Pullman Co. also assumes miscellaneous operating expenses of large magnitude for maintenance, depreciation, car attendance, cleaning, laundry, taxes, and insurance, all borne by the carriers in coach traffic; that Pullman traffic costs the carriers less than one-eighth the terminal expense of coach service, since the Pullman passenger's average journey is more than eight times that of the coach passenger; that Pullman travel is almost entirely in the heavy lanes and the major portion of coach travel in the thin lanes, allowing in Pullman transportation a much greater intensiveness in use of facilities and labor; that the Pullman Co. pays the carriers some \$10,000,000 a year, in addition to the surcharge, from the fares it receives from the public; and

Whereas the commission's expert analyst assigned to the surcharge investigation found that the cost to the carriers of conducting Pullman travel was substantially less than that of coach travel; and

Whereas Examiner Keeler, of the Interstate Commerce Commission, the only examiner of the commission who heard the evidence, recommended the removal of the surcharge in a careful and very complete report; and

Whereas on the vote of the full commission Commissioners Campbell and Cox, the only two commissioners who had heard any of the evidence, voted unequivocally for the removal of the surcharge; and

Whereas on the vote of the full commission, only four commissioners, none of whom heard the evidence, found that the surcharge was reasonable, two commissioners found that it was unreasonable and should be reduced by one-half; and four commissioners, including the only two who had heard the evidence, found that the surcharge was totally unwarranted and should be entirely removed, there thus having been 6 of the 10 agreed as to its unreasonableness, and only a minority of the commission in favor of the retention of the surcharge; and

Whereas the surcharge is not a rate in the accepted sense, in that the carriers have never sustained it by proof as required by section 15 of the interstate commerce act; and in any case, it is the right and duty of the Congress to lay down guiding rules and principles for its agent, the commission, to wit, that charges are to be made on the basis of the service rendered and not on the basis of what the commission supposes to be the comparative personal incomes of the patrons of the carriers; that, as the United States Supreme Court has said, every service must stand upon its own bottom as far as it can, and if it does not itself incur extra cost, shall not be made arbitrarily to recoup

alleged deficits in other directions; that the service which is the most profitable and most productive of revenue to the carriers should not for that reason be penalized by the imposition of a surcharge, and finally that charges should not be raised to such a level that they are prohibitive, as pointed out above in the case of the surcharge; and

Whereas it appears on the very face of the commission's report that the minority of four commissioners, finding that the surcharge was reasonable, wholly misconceived the evidence in every vital respect, and that the majority of the commission, although finding that the surcharge is unreasonable, nevertheless has left in effect this onerous and unjust exaction; and

Whereas this charge has remained saddled on the public for more than six years and will remain until doomsday except for the action of the Congress, and every year it continues means another \$40,000,000 taken from the public without return; and the public, unlike the railroads who are assured of remuneration from the pockets of the public itself, can not maintain an interminable conflict, but must look for relief to its Representatives in Congress assembled; else there is no relief: Now therefore be it

*Resolved*, That we, the delegates of all the organizations and associations assembled at this joint meeting, representing the interests of the Nation's 900,000 traveling salesmen and all others of the traveling public, do hereby, petition Congress for relief from this onerous and obnoxious tax, which is an arbitrary and unjustified aftermath of the war, which is discriminatory and entirely un-American in principle, and which, although found by the Interstate Commerce Commission to be unreasonable, has nevertheless been left in effect by that commission; and we appeal to the Representatives elected by the people and in Congress assembled for immediate action to repeal this surcharge and to declare the collection of any such surcharge unlawful in times of peace by enacting into law the bill (S. 1143) amending section 1 of the interstate commerce act.

SEYMOUR N. SEARS,  
*President National Council of Traveling  
Salesmen's Associations of America.*  
SAM T. BREYER,  
*Supreme Counselor United Commercial  
Travelers of America.*  
H. E. TREVVETT,  
*Secretary-Treasurer Commercial Travelers  
Mutual Association of America.*

[H. R. 4497, Sixty-ninth Congress, first session]

IN THE HOUSE OF REPRESENTATIVES

December 9, 1925

Mr. McLAUGHLIN of Nebraska introduced the following bill, which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

A bill amending section 1 of the interstate commerce act

*Be it enacted, etc.*, That paragraph (4) of section 1 of the interstate commerce act, as amended, is hereby amended by adding at the end thereof a new sentence to read as follows:

"It shall be unlawful for any such carrier to demand, charge, or collect from any person for transportation, subject to the provisions of this act, in any parlor car or sleeping car any fare in addition to that demanded, charged, or collected for transportation in a day coach, but this shall not prevent just and reasonable charges for the use of accommodations in parlor cars or sleeping cars by companies owning such cars."

#### EXTENSION OF REMARKS

Mr. BROWNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting the decision of Justice Pierce Butler, of the United States Supreme Court, on the Doheny case.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD by inserting the decision of Justice Pierce Butler on the Doheny case. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, that decision has already been inserted in the Senate proceedings in full.

Mr. BROWNE. I did not know that, and I withdraw the request.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the necessity of further tariff legislation.

The SPEAKER. The gentleman already has that right.

Mr. HERSEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the report in the Cooper case.

The SPEAKER. The gentleman has that right under the leave granted by the House. May the Chair say that under the leave granted by the House all Members may extend their own remarks, but special permission is required for the insertion of documents.



Mr. BLANTON. Mr. Speaker, may I have permission to extend my remarks on my first 10 years in Congress?

The SPEAKER. The gentleman has that right.

Mr. UPSHAW. Mr. Speaker, may I have the same privilege with reference to my eight years in Congress?

The SPEAKER. The gentleman already has that permission.

#### INCREASED PENSIONS

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent to insert a small resolution from the Theodore Roosevelt Camp of Spanish-American War Veterans on pensions.

The SPEAKER. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Speaker, under leave granted me by the House I am incorporating here resolutions recently passed by Theodore Roosevelt Camp, No. 8, Spanish-American War Veterans, Atlanta, Ga., setting forth a plan by which the revenue could be raised to pay the increase in pensions which they feel is justly due the veterans, their widows, and orphans. These brave volunteer veterans were neglected so long by the Government they served so faithfully that we ought to be ready to listen to their suggestions:

#### FINANCING PENSIONS

HEADQUARTERS THEODORE ROOSEVELT CAMP, No. 8,  
UNITED SPANISH WAR VETERANS,  
Atlanta, Ga., February 28, 1927.

Hon. W. D. UPSHAW, Washington, D. C.

DEAR SIR: Following is a resolution proposed by Past Commander Ralph Steckel and adopted by this camp at its meeting on February 27:

"Whereas the present revenue from the Federal tax on tobacco is \$370,000,000; and

"Whereas, if the tax on tobacco was doubled, it would not greatly increase the cost of tobacco to consumers; and

"Whereas the consumer is insistent that all persons who have offered their services to their country in time of need be granted a reasonable pension; and

"Whereas the present rate of pensions authorized veterans of the Spanish-American War, Philippine Insurrection, and China relief expedition are not in keeping with the needs of these veterans; and

"Whereas the total cost of pensions now authorized is slightly greater than \$200,000,000 per year: Therefore be it

"Resolved by Theodore Roosevelt Camp, No. 8, United Spanish War Veterans, in regular meeting assembled at Atlanta, Ga., this 27th day of February, 1927, That Congress be urged to double the tax on tobacco in order to provide revenue from which to pay all pensions, including the increase rightfully due the veterans, their widows, and orphans."

CHAS. A. WRIGHT, Adjutant.

In this connection, while performing one of my last acts of official service for my constituents, I obey an impulse to give, I hope, a little passing pleasure and entertainment to all my honored colleagues by publishing the following original lines—some of them written about midnight, and the last several verses written during the closing session of Congress.

I am very certain that if ever in America's Westminster Abbey storied urn or animated bust back to its mansion shall call the fleeting breath for me, it will not be because I wrote these impromptu lines; but they simply express a meager part of the affection I feel for my colleagues, with whom I have spent eight happy, eventful years.

#### THE LADS OF CONGRESSTOWN

Here's to the lads of Congress town,  
Big-hearted, brave, and true!  
My feelings swell, I wouldn't sell  
The years I've spent with you.

In boyhood's charm, out on the farm,  
I dreamed the dream of youth,  
Beneath the dome of Freedom's Home  
To battle for the truth.

The years are eight—ah, happy fate,  
Since first I knew the thrill  
Of those who climb at last to find  
Their place upon "The Hill."

And never yet, since first we met  
In fellowship so fine,  
Have I ever known on manhood's throne  
A picture more sublime.

Despite the tales and all the gales,  
Of laughter o'er the fields,  
Despite the slurs of all the curs  
Who bark at Congress's heels.

There's not a wag beneath the flag,

There's not a critic true

Can find a brand in all the land

Of bigger men than you.

And since the women came to bless

With their refining powers

The future glows like Sharon's Rose

Within this land of ours.

Oh, lads and lassies of Congress town,

Were the surgeon probing near,

My heart that loves, my heart that proves,

These friends I hold so dear.

I'd say to him, with eyes grown dim:

Oh, doctor, here they dwell.

My comrades brave, who seek to save

The land we love so well.

And as I stand with outstretched hand,

To say my last good-by,

I pray God's love will lead above

To "fairer worlds on high."

—William D. Upshaw.

#### CONSIDERATION OF BILL S. 4782

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 4782.

The SPEAKER. The Chair would rather deal with the question of extensions for the moment.

Mr. JOHNSON of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

#### EXTENSION OF REMARKS

Mr. JOHNSON of South Dakota. Under the leave granted by the House may a Member extend his remarks twice on two different subjects?

The SPEAKER. The Chair thinks so. The Chair thinks a Member may extend his remarks in the RECORD on any subject, provided the remarks do not include the incorporation of documents or papers.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the medicinal liquor bill passed the other day.

The SPEAKER. The gentleman has that right.

Mr. BLANTON. This gentleman is the new wet leader of the country, and he ought to have special privileges.

#### A DEPARTMENT OF CONSERVATION

Mr. GARRETT of Tennessee. Mr. Speaker, on February 24 I introduced in the House a bill (H. R. 17321) to create an executive department of the Government to be known as the department of conservation.

I realize that it is too late in the session to hope for action upon it at this time, but I desire briefly to call attention to it now because it is my purpose to present the measure again at the opening of the Seventieth Congress and to ask for its serious consideration by the Congress.

All students of government realize and have realized for years that in the great work of conservation of the national resources the Federal Government has a most important work to perform. There are many things which it alone can do and many others in which there must be an intelligent plan of cooperation between it and the States.

Within certain well-defined limits the national power must take the lead.

I think it will not be questioned by those who have given study to the question that the national activity in this great work has been greatly handicapped by reason of the fact that there has been too much diffusion of authority among existing departments. This has inevitably resulted in overlappings and duplications with a consequent weakening of efforts, resulting in much lost motion and wasted attempts.

This is not said by way of criticism of the departments. It has resulted from the system and this system the Congress alone can change.

Coordination is imperatively necessary. It will assure economy in public expenditures and increase efficiency in all lines of conservation endeavor.

I shall not attempt now a detailed analysis of the measure.

It is proposed to transfer to the new department seven existing agencies; to wit—

(1) The Forest Service of the Department of Agriculture.

(2) The Bureau of Biological Survey of the Department of Agriculture.

(3) The National Park Service of the Department of the Interior.

(4) The Bureau of Fisheries of the Department of Commerce.

(5) All functions of the Secretary of Agriculture in respect to national monuments.

(6) All functions of the Secretary of the Interior or of any bureau or officer of the Interior Department respecting the reindeer of Alaska.

(7) All functions of the Secretary of Agriculture and the Secretary of Commerce under the upper Mississippi River wild life and fish refuge act.

The bill then provides in detail for the transfer of powers and duties, as well as appropriations, personnel, records, and property.

It creates no new bureaus, nor does it add to existing powers of the Federal Government.

Its fundamental purpose is to bring about, in the first instance, essential coordination. This can then be followed by necessary and proper legislation.

In connection with the great policy of conservation utility will hold first place in popular thought, but it must be intelligent utility which will eliminate wasteful destruction and insure the preservation of the things which the future generations must have and the replacement of natural resources as they are taken for human use. Nothing short of this will constitute a true policy of conservation.

There are probably 30,000,000 of our people who are fishermen, hunters, nature lovers; there are more than \$2,000,000,000 invested to supply their needs. This army will increase as the years go by. We should not permit America to become a fishless and a gameless land.

Rapidly it is becoming treeless. There must be a nation-wide policy of reforestation in which both the Nation and the States shall do their part.

America must not become a land of desolation. God gave us the greatest outdoors ever laid down for a people. To use it for the practical things of life does not require its further destruction. We are trustees of a wonderful heritage of nature; we must preserve it for those who are to come after us. Both for utility and recreation our national-park system must be extended to the full limit of Federal authority and must be administered in the interest of preservation.

There exists no greater challenge to the statesmanship of to-day than lies in the policy of conservation of what is left of the heritage of nature. It is believed that one great step will have been taken by creating this department and coordinating the activities toward the establishment of that policy upon a sound and intelligent basis.

#### DESECRATION OF THE AMERICAN FLAG

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon a bill which I have had pending in the Congress to prevent the desecration of the American flag, and to print therewith certain documents submitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAINWRIGHT. Mr. Speaker, this session of the House of Representatives should not come to an end without some notice of an effort in this Congress to secure the enactment of legislation designed to prevent and punish the misuse or desecration of the flag of our country. I refer to a bill introduced by me at the last session (H. R. 12807) entitled "A bill to prevent the desecration of the flag and insignia of the United States and to provide punishment therefor."

Although a hearing was accorded by the Judiciary Committee of this House, to which it was referred, and considerable support of the measure displayed by various patriotic organizations through representatives attending the hearing, with a quite full exposition of the legal questions involved, the Judiciary Committee have not seen fit to act upon the measure. The propriety, if not necessity, of such action by Congress has been urged from time to time in the past. Such legislation has been recommended by Presidents of the United States. Bills have been introduced. But singularly enough, notwithstanding the apparent reason for such a law, Congress has thus far failed to act or to give the subject the attention that it merits. While other nations have seen fit to so protect the emblems of their nationality, we have thus far failed to so protect our own in the only full and complete manner in which it can be fully protected; namely, by act of Congress.

Many States have adopted laws to protect the national and their own State flags, but surely no State statute can carry the same authority, the same weight, the same impressive mandate

as a Federal statute, with uniform and equal application throughout the country, declaring to all so evilly or carelessly disposed within our borders, in the name of 48 sovereign States, that it is the will, the express command, of the sovereign people of them all that the symbol of their collective power and might, of the principles of liberty, of justice, of morality, of toleration, of charity, and of their conception of human rights, for all of which it stands, must be respected and revered and that open disrespect or irreverence and any mutilation or misuse of the flag will be surely punished.

Now, first, as to the nature and significance of the offense in question. What, indeed, is a nation's flag? Surely not a mere piece of bunting or other material exhibiting or impressed with a certain arrangement of colors and symbols to express or convey the idea of a certain national interest or origin or form of government. It holds within its folds a far deeper, a far more impressive, an almost mystic meaning. From the dawn of history tribes and peoples and finally nations have adopted some material symbol or token to express their reverence, their loyalty, their love, their devotion to the race or tribe or clan from which they sprang, to the people or nation to which they belong—their pride in its traditions, its valor, its independence, the qualities of its manhood, the virtues of its womanhood, their faith in and reverence for its gods and its religion. It served to inspire them to resist oppression, to avenge insult, to conquer, to impress their will or customs upon their enemies or others. The ancients carried aloft such symbols on spears or poles when marching into battle. So it was with the Egyptians, the Persians, the Greeks, and Romans. In the Bible the banners and ensigns of the Israelites are mentioned. We read in the Twentieth Psalm—

We shall rejoice in thy salvation, and in the name of our God we will set up our banners.

The eagles of imperial Rome are familiar to us in story. The zeal of the crusaders in their strife for the holy sepulcher was inspired by standards embroidered with the cross. Our own starry banner with the States represented by the constellation of white stars in the blue firmament of heaven, and the original 13 Colonies by the stripes, was early in our struggle for liberty ordained by an act of the Continental Congress in 1777; confirmed and reenacted by the Congress of the United States in 1818 (ch. 34, 3 Stat. 415). How could the significance of that flag be more appropriately expressed than in the words of our own Supreme Court:

From the earliest periods in the history of the human race banners, standards, and ensigns have been adopted as symbols of the power and history of the peoples who bore them. It is not then remarkable that the American people, acting through the legislative branch of the Government, early in their history prescribed a flag as symbolical of the existence and sovereignty of the Nation. Indeed, it would have been extraordinary if the Government had started this country upon its marvelous career without giving it a flag to be recognized as the emblem of the American Republic. For that flag every true American has not simply an appreciation but a deep affection. No American, nor any foreign-born person who enjoys the privileges of American citizenship, ever looks upon it without taking pride in the fact that he lives under this free Government. Hence it has often occurred that insults to a flag have been the cause of war, and indignities put upon it in the presence of those who revere it have often been resented and sometimes punished on the spot. (*Halter v. Nebraska*, 205 U. S. 34.)

No; that banner stands for all that his country means to the loyal American, the true patriot—his pride in the glorious past, his hope for a still more glorious future, the principles of human liberty and justice on which his Government rests, the blessings that God has bestowed on those who have been privileged to live in his country, the valor of her sons, his pride in her matchless beauties and awe-inspiring wonders, his religious faith, his high ideals, his home, his dear ones, all that life holds dear. To him the flag is indeed a sacred emblem. That is why he bares his head or stands at attention when the flag goes by. That is why he stands when the anthem is played or sung. That is why a thrill sweeps o'er his frame and a mist dims his eyes when he sees it flying from the masthead on distant seas or in foreign ports. That is why he teaches his children to give the flag salute. To fail to treat it with respect in his presence is a personal offense. To use it for a selfish or debasing purpose fills him with wrathful indignation; to mutilate, defile, deface, or speak of it in contempt or derision is to him a mortal affront. So desecration of the flag has become not only an offense to the strongest public sentiment, but, in fact, a positive incitement to disorder. But may it not be much more? May it not be evidence of a treacherous, treasonable, disloyal state of mind in the one who dares to defile or defame this country's flag? Unless restrained, re-



pressed, and punished will not such actions lead to similar evil tendencies in others, to the spread of pernicious doctrines? Surely, unless repressed and punished, they will serve as an encouragement to those of revolutionary tendencies, of whom, alas, there are already too many among us, too many black-hearted or light-headed people who would tear down the whole structure of our Government and our institutions; not only our Constitution, but the family relation, personal morality, religion, private property—in fact, all those things upon which our civilization rests.

Desecration of the flag, excepting careless, irreverent treatment and its use for sordid and undue commercial gain, indicates in the one guilty of the offense not only a belief in subversive doctrines but a willingness or tendency either to personally take part in revolutionary activities or to incite others to such disorders. Thus desecration of the flag becomes not only an offense and injury to the pride and sensibilities of the great body of those who love their country and their government, but a crime against the nation and the state as well. And it should be recalled that in international relations an insult to the flag is taken as an insult to the country, an affront which every self-respecting country will resent and not overlook or permit to go unchallenged. Thus even so pacific a head of this Nation as Woodrow Wilson demanded from Mexico an apology for an insult to our flag at Tampico in 1915, and when it was not forthcoming resorted to warlike measures against that country by occupying Vera Cruz with our armed forces. Must it not be by so much the more that an insult to our flag within our own borders shall be a subject not only for condemnation but for condign punishment as well? Certainly an act which may lead to war between nations should when perpetrated by a citizen against his own country bring that citizen within the toils of its penal law.

Of course, it may be said that patriotism and reverence for all that the flag symbolizes should be so ingrained and universal in our people that public sentiment and public condemnation, and even the possibility of public chastisement by outraged citizens, should be sufficient to deter the disloyal and seditious from such offenses. But alas, experience has too fully demonstrated that such forces are not enough, but even more is required to deter such evildoers; that the law as well must step in and reach out a restraining hand against them. And so the legislatures of 46 States have deemed it expedient to employ this means to protect the symbols of the Nation, of which they are a part, as well as their own State flags. And now it is proposed again, as it has been in the past, that by supplementing the State laws in force by a Federal statute, with all that it implies, the impulse for offenses of this nature may be further restrained, a more effective result attained. It is not enough that the legislatures of the States have spoken, though in no uncertain tones, but that the voice of the Nation, expressed through its own legislation, shall speak as well.

The only direct Federal legislation now relating to the subject is the statute applying to the District of Columbia, the act of February 8, 1917, chapter 34 (39 Stat. 900). It is similar in terms to many of the State laws. There is besides a provision of law prohibiting the registration of any trade-mark which comprises the flag or coat of arms or any other insignia of the United States or any simulation thereof. (Sec. 5, act of February, 1905, ch. 592; 33 Stat. 724, 725.)

During the war, as part of the espionage act of June 15, 1917, chapter 30 (40 Stat. 217-219), by an amendment enacted May 16, 1918, punishment was provided for any person who, when the United States was at war, uttered disloyal language concerning the flag, or language intended to bring the flag into contempt or disrespect, but this was merely a war measure, and was repealed by the joint resolution of March 3, 1921, chapter 136 (41 Stat. 1359-1360), declaring the war at an end. Yet, as I have said, 46 States, all except Kentucky and Virginia, have enacted flag desecration laws all of similar purport, and besides such acts have been adopted by the Legislatures of the Hawaiian Islands, Porto Rico, and the Philippine Islands.

And so, it is urged, if the States have found it incumbent on themselves as members of the Federal Union to use their power and authority to protect the national emblem, it should be even more proper and necessary that the Government itself, of which the flag is the emblem, should accord to that flag the protection of the Nation's law and enforcement agencies. Indeed, it is manifestly expedient, if in any way possible, that the power of each and both should be available for that protection, and that the law of each or either may be invoked dependent upon the circumstances under which the offense is committed. Particularly proper it would seem at this time, when there is so much radical and revolutionary activity, when sentiments of disloyalty to our institutions and form of govern-

ment are so prevalent, taking the form too often of insulting or irreverent expressions or actions toward the flag, that the proposal for a national flag law should be at last realized.

The present condition of the law on the desecration of the flag is fully set forth in an opinion rendered to the President of the United States by the present Attorney General, under date of May 25, 1925, such opinion having been requested by the late President Harding of the then Attorney General in deference to an urgent request for such an opinion submitted to the President by the District of Columbia Commandery of the Loyal Legion of the United States to procure such an opinion:

Section 5 of the act of February 20, 1905, chapter 592 (22 Stat. 724, 725), prohibits the registration of any trade-mark which comprises the flag or coat of arms or other insignia of the United States, or any simulation thereof.

The act of May 16, 1918, chapter 75 (40 Stat. 553), amending section 3 of Title I of the espionage act of June 15, 1917, chapter 30 (40 Stat. 217, 219), formerly provided punishment for any person who, when the United States was at war, uttered disloyal language concerning the flag, or language intended to bring the flag into contempt or disrespect. But this amending act of 1918 was repealed by the joint resolution of March 3, 1921, chapter 136 (41 Stat. 1359, 1360). There is, therefore, at present no Federal statute punishing the desecration or abuse of the flag, either in time of peace or in time of war.

A majority of the States have passed acts designed to punish the desecration of the national flag, and to prevent its use for advertising purposes. The constitutionality of such State legislation was upheld by the Supreme Court in *Halter v. Nebraska* (205 U. S. 34).

There is a Federal statute, similar in terms to many of the State laws which punishes the improper use of the flag in the District of Columbia, act of February 8, 1917, chapter 34 (39 Stat. 900). But there is now no Federal enactment which punishes such use outside the District. I believe that it is within the power of Congress to enact such legislation for the entire country; and my belief is supported by the words of Mr. Justice Harlan, delivering the opinion of the court in *Halter v. Nebraska*, above mentioned (p. 41):

"It may be said that as the flag is an emblem of national sovereignty, it was for Congress alone, by appropriate legislation, to prohibit its use for illegitimate purposes. We can not yield to this view. If Congress has not chosen to legislate on this subject, and if an enactment by it would supersede State laws of like character, it does not follow that in the absence of national legislation the State is without power to act. There are matters which, by legislation, may be brought within the exclusive control of the General Government, but over which, in the absence of national legislation, the State may exert some control in the interest of its own people."

In other words, this matter is one of those over which Congress may exercise control if it will. But until Congress actually exercises its power the States are free to act, and the silence of Congress, in this case at least, is not to be taken as a declaration that the States must refrain from acting.

(2) At the present time, then, the desecration or improper use of the flag outside of the District of Columbia has not been a Federal offense. The matter has been left to the States for action. Should Congress wish to assume control it has power under the Constitution to do so. Whether existing conditions render such congressional legislation necessary or desirable is a question upon which I do not now feel required to decide. It is sufficient for this present opinion to ascertain that the power of legislation exists.

It is thus evident that it is well within the constitutional powers of Congress to enact a flag desecration law. The doubt is raised, however, indeed, can not be avoided, as to the effect that the adoption of a Federal act may have upon the State laws already in force. The Supreme Court in the *Halter* case, above referred to, clearly upholds the right of the States to adopt such legislation, but suggests the question whether State legislation would be superseded by a Federal law. The court evidently was clearly of the view that it is primarily the function of Congress to act "as the flag is the emblem of national sovereignty," but that it was proper and within the power of the States to act, in the absence of, or until Congress enacts a Federal law. It by no means definitely or conclusively found, for it was not necessary in that case to find, that the State legislation would be superseded when Congress acted. It may be true that where Congress acts under or by virtue of some power expressly granted by the Constitution, that any previous legislation by the States to the same effect will be superseded (*Prigg v. Pennsylvania*, 16 Pet. 617, 618; *Sinnott v. Davenport*, 22 How. 243). But, it by no means follows that where the action of Congress is by virtue of an inherent or implied power, in the exercise of that police power which every sovereign State must have for its own protection, that the same rule would apply. And the enactment by Congress of this law, would most certainly be by virtue not of any express grant of

power, but in the exercise of an inherent or implied power, in the exercise of its highest police power as a sovereign legislature, to protect the symbol of its own sovereignty.

Surely, cooperative legislation by the States to the same end, whether enacted before or after Congress acts, is so desirable that it should not be superseded or barred by any technical, narrow, or legalistic reasoning. In the *Halter* case the Supreme Court of Nebraska (105 N. W. Rep. 298) said on that feature of the case:

Nor can we agree with counsel that the Federal Government has the exclusive power to regulate the use of the national flag. It is not infrequent that same act is an offense against both the State and the Federal Government.

Calling attention to the fact that notwithstanding an express power granted to Congress to punish counterfeiting, a State law to the same end had been upheld by our highest tribunal. (*Fox v. State*, 5 How. U. S. 416.) And I can not resist, at this point, to refer to the impressive language of the Wisconsin Court in the *Halter* case, on the reason for the legislation:

Patriotism has ever been regarded as the highest civic virtue, and whatever tends to foster that virtue certainly makes for the common good. That familiarity breeds contempt has the force of a maxim. That contempt or disrespect for an emblem begets a like state of mind toward that for which it stands is a psychological law which underlies the canons against profanation which abound in every system of religious instruction. Such inhibitions against the irreverent use of sacred things are not merely arbitrary fulminations, but are grounded on sound practical considerations and the conviction that such use of the sacred emblems of religion is inimical to the cause of religion itself. The legislation under consideration may be justified on the same principle. The flag is the emblem of national authority. To the citizen it is an object of patriotic adoration, emblematic of all for which his country stands—her institutions, her achievements, her long roster of heroic dead, the story of her past, the promise of her future; and it is not fitting that it should become associated in his mind with anything less exalted, nor that it should be put to any mean or ignoble use.

And the language of Mr. Justice Harlan in delivering the opinion of the Supreme Court of the United States on the Nebraska statute (*Halter v. Nebraska*, 205 U. S. 43):

We are of opinion that those who enacted the statute knew what is known of all, that to every true American the flag is the symbol of the Nation's power, the emblem of freedom in its truest, best sense. It is not extravagant to say that to all lovers of the country it signifies government resting on the consent of the governed; liberty regulated by law; the protection of the weak against the strong; security against the exercise of arbitrary power; and absolute safety for free institutions against foreign aggression. As the statute in question evidently had its origin in a purpose to cultivate a feeling of patriotism among the people of Nebraska, we are unwilling to adjudge that in legislation for that purpose the State erred in duty or has infringed the constitutional right of anyone. On the contrary, it may reasonably be affirmed that a duty rests upon each State in every legal way to encourage its people to love the Union with which the State is indissolubly connected.

And now just a word as to the bill (H. R. 12807). It is similar in terms and follows practically the lines of the State laws of similar intent. It covers two categories or classes of offenses.

First, the use or exploitation of the "flag," "colors," "design," "standard," "coat of arms," or other "insignia" of the United States in any way in advertising or by way of advertisement in business, for private or commercial gain. It so would constitute as an offense against Federal law what is manifestly offensive and has been already classified as an offense against State law, an offense against propriety, the public conscience, and morals.

Second. And far more serious in its nature, the willful and public showing of open or hostile contempt for the flag or equivalent of the flag, or otherwise defacing or defiling the same. It safeguards the placing on the flag by Federal or State authorities such inscriptions as are authorized by the rules and regulation of the United States Government. It (section 2) defines the word "flag," "colors," "coat of arms," or "insignia" to include any picture or representation or simulation of the same. It (section 3) excludes the use of the flag on books, newspapers, stationery, and the like, for purely patriotic or ornamental purposes, entirely disconnected with advertising, and to meet a fair constitutional objection (section 4) provides that as to goods already on hand it shall not take effect for six months after its enactment. The penalty for violation may be not less than \$100 or imprisonment for not more than six months, or both.

No objections to the form or substantive provisions of the bill were raised at the hearings in committee, but the suggestion

was made that for purposes of uniformity the provisions of the act now in force in the District of Columbia might be employed, and to insure more effective enforcement that State police and peace officers should be specially authorized by the terms of the act to enforce its provisions. But the form a Federal act shall take is really mere matter of detail, if the conviction is arrived at in the next Congress that a Federal flag desecration act is now due and must be adopted. My purpose in extending these now due and must be adopted.

My purpose in extending these remarks is principally to enlist the sympathetic and patriotic attention of my colleagues in the Seventieth Congress for this measure, which, of course, will be introduced at the next session. Surely its purpose must appeal to all those patriotic instincts, that sense of loyalty and devotion to our country, which must animate each one of us. My hope is that it shall not be said of the next Congress that it has overlooked or been indifferent to this matter. Perhaps a patient, careful, and deliberate consideration of the subject may raise practical objections which may be difficult to overcome. It may be found that a National and State flag desecration law can not coexist; that where the Federal Government acts the States must step out of the picture; and, if this be so, that then, on the whole, owing to superior facilities for enforcement, the State laws should not be disturbed. But however all that may be, I claim and urge upon you that a definite decision one way or the other by our body, definite action, either adopting or rejecting this legislation, shall be on the program of our House at the December session. Particularly do I urge that, owing to the patent desirability of Federal legislation, this measure shall then be favorably acted upon, leaving it to the courts to determine the nice legal or constitutional question as to the effect of a Federal statute upon State laws. In short, if these words of mine shall only tend to arouse in a sufficient number of my colleagues a real sentiment in favor of this profoundly interesting and important subject at the next session, I shall be content.

And, as a concluding thought, may I leave with you a recent noble utterance upon the general subject—inspired by the fact that this year 1927 is the sesquicentennial of the adoption of the Stars and Stripes as our national emblem, which obviously should give rise to the thought in us that this year will be an appropriate time for the adoption of this proposed legislation, if it is ever to be adopted:

The flag we reverence and honor is not a material thing in itself, but the symbol of great ideals and resolves that have inspired the glowing of history. Just as for men and women of Christian faith the cross is the symbol of the greatest hope that has sustained mankind, and their reverence for the cross is not for the thing but for the faith and hope of which it is the symbol, so our reverence for the flag is not for the bright bunting with its stars and stripes but for intimately precious ideals of which it is the symbol.

Should the time come when the Stars and Stripes, as the symbol of freedom, secured and bounded by law, shall no longer command the reverence and homage of our citizens, then this Nation will soon pass from anarchy to oblivion. (John Spargo in addressing the Sons of the American Revolution at Bennington, Vt., February 3, 1923.)

N. B.—For valuable and useful data on the flag and flag legislation see Bulletin of Department of Commerce No. 438. Also notable speech on the flag of the United States delivered in the House of Representatives by the late lamented Frederick C. Hicks, of New York, on Flag Day, June 14, 1917.

ARTICLE BY BISHOP WARREN A. CANDLER, OF GEORGIA

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short article by Bishop Candler.

Mr. BEGG. Mr. Speaker, I think it is about time to stop making the RECORD a wastebasket for everything that strikes the fancy of some Member of the House. What is the subject of this article?

Mr. LARSEN. It deals with the commission of crime—the crime wave.

Mr. BEGG. I will not object to that—

Mr. LARSEN. I did not think so.

Mr. BEGG. But it does seem to me the RECORD ought to be a record of the proceedings of Congress and not a compilation of various newspaper articles from the newspapers of the United States.

Mr. CRAMTON. Reserving the right to object, does not the gentleman think the time to start a policy of that kind is the first day and not the last day of the session?

Mr. BEGG. Yes; I do.

The SPEAKER. Is there objection?

There was no objection.



Mr. LARSEN. Mr. Speaker, I take this means and opportunity of bringing to the attention of this House and of the country a very timely article written by Bishop Warren A. Candler, of Georgia.

Bishop Candler is well known throughout the Nation and ranks as one of our ablest men. The article to which I refer appeared in the Atlanta Journal (Ga.) under date of February 13, 1927, and is as follows:

#### LYNCHINGS AND OTHER CRIMES

The crime of lynching is a hideous manifestation of savage passion. It is so barbarous in its nature that no condemnation of it can be too strong. It lynch the law as well as its victim, and therefore deserves the reprobation of every law-loving and law-abiding citizen.

But it is possible for us to concentrate attention so intensely on one crime and to overlook all other offenses that we weaken the force of our condemnation of any and all violations of law. Such a result is coming to pass in the matter of lynchings.

The best people in the country, North and South, execrate lynchings and lynchings, as they ought to do. An overwhelming majority of the American people abhor the horrible offense.

But it is doubtful if the annual publication of the number of lynchings committed in a year and the antilynching measures proposed in the Federal Congress do any good. Probably these things are beginning to impair the force of the efforts of good people to put down lynching.

It is said that 29 persons, including 2 women, were lynched in the United States during the year 1926, and that this number showed an increase of 13 over the number committed in 1925.

Lynchings in 1924 fell 50 per cent below what they were in 1923, and in 1923 they fell to about half what they had been in 1922.

It can not be shown that the increase of the number in 1926 over that of 1925 is due to the overemphasis on the condemnation of lynchings and the underemphasis placed on the reprobation of other crimes, but it is undoubtedly true that such discrimination is not wise or just.

Upon the people of the Southern States condemnation for lynchings is concentrated, although the abominable offense is not confined to the South alone. The antilynching bills introduced into Congress are leveled against the Southern States, and they are unquestionably inspired by motives of sectionalism. No good end can be served by such methods; they irritate by their manifest injustice.

In the Southern States there are a little more than 30,000,000 of people. The membership of the southern churches is a larger proportion of the total population than is the membership of the churches in any other section of our country. Under conditions of the most trying and perplexing character lynchings in these States during the year 1926 were less than 30, and during the year 1925 they were no less than 16.

But who will tell us how many mysterious and unpunished murders were perpetrated by the "gunmen" and "gangsters" of Chicago during the years 1925 and 1926?

The population of Chicago is less than 5,000,000 as compared with a population of 30,000,000 in the Southern States. Why should not the number of assassinations by Chicago's gunmen be published annually? Why should not the Federal Congress assume to adopt measures to suppress the murders done by gunmen in Chicago, affixing penalties of disfranchisement and other penal prohibitives upon all the citizens of the city and the State of Illinois unless assassinations by gunmen ceased?

The combined populations of the two cities of New York and Chicago aggregate much less than half of the total population of the Southern States, but the assassinations annually committed in those cities, for which no one is arrested and punished, exceed the number of lynchings in the whole country for a year. A man done to death by a gunman is as dead as the victim of a lynching. An assassination by a gunman is in fact a lynching of the foulest sort. Gunmen kill for money; they are inspired by cold and cruel covetousness, while most lynchings in the South are provoked by the most repulsive and exciting crimes.

In the last of the annual reports of lynchings it is stated that "there were 33 instances in which officers prevented lynchings, 29 of these being in the Southern States." It is further stated in the same report that "34 persons were indicted in connection with lynchings, 9 receiving prison sentences, 8 for terms ranging from 4 to 20 years, and 1 for life."

Is there evidence to show that the officers of the law in Chicago and New York have been equally energetic and successful in their efforts to bring to justice the gunmen and gangsters of those cities?

It may be said that conditions are peculiar in Chicago and New York, and that the enforcement of law against certain classes of criminals is quite difficult. Such doubtless is the case; but so also is the case of the South.

Again, no such enormous expenditures to buy seats in the United States Senate as have been made in Pennsylvania and Illinois have ever been made in any of the Southern States. The Senate, which has the constitutional right to judge of the qualifications of its own Members, has taken hold of this corruption as it did a few years ago in the case of a Senator from Michigan who had bought his seat in the body.

Over such matters the Senate has a right to take jurisdiction, and in doing so it does no more than its duty. But the Federal Congress has no right to invade the province of sovereign States in order to deliver a blow at the South under the pretext of correcting a far smaller measure of crime.

Buying seats in the Congress corrupts law at the source of its making, and than that few crimes can be worse.

The conclusion of the whole matter is that every State and every section should be dealt with justly. Justice, symbolized by a goddess holding impartial scales, is a sublime image; but when justice has one eye shut and the other a-winking, one finds it difficult to restrain disgust and contempt for her.

The truth is that no section of our country is so free from sin that it may become the censor of all other sections, and hold itself up as a blameless model for imitation. Let each correct its own faults, and it will have quite enough to engage its attention for a good many years to come.

Let the Southern States, and all other States in which lynchings occur, punish all lynchings to the full extent of the law without fear and without favor.

Let States like Illinois and New York bring their gunmen to justice and suppress the mysterious murders in them, which are lynchings in another form.

Let great and sovereign Commonwealths send to the penitentiary, and not to the Senate, vile men who undertake to buy seats in the highest legislative body of the Nation.

Our country is widely extended and enormously rich. Such conditions invite corrupting luxury and defiant lawlessness. These evils must be corrected, and the perils which they bring averted, or the great Republic will perish as others before it have perished from the same ruinous conditions.

A nation-wide revival of religion would rescue our country from these fearful dangers; and nothing else will.

Criminations and recriminations between sections will avail nothing. What is needed is universal repentance in all sections. The Nation needs to return to the God from whom it has departed.

If any are disposed to regard as visionary the suggestion that a general revival of religion is the best corrective of crime and the surest remedy for political corruption, let all such persons study carefully the effects of the great historic revivals of the past.

Lecky, a historian, destitute of a favorable bias toward evangelical Christianity, in his history of England in the eighteenth century, says of the Wesleyan revival:

"Although the career of the elder Pitt, and the splendid victories by land and sea that were won during his ministry, form unquestionably the most dazzling episodes in the reign of George II, they must yield, I think, in real importance, to that religious revolution which shortly before had been begun in England by the preaching of the Wesleys and Whitefield. The creation of a large, powerful, and active sect, extending over both hemispheres and numbering many millions of souls, was but one of its consequences. It also exercised a profound and lasting influence upon the spirit of the established church, upon the amount and distribution of the moral forces of the nation, and even upon the course of its political history."

John Richard Green, in his History of the English people, affirms that Pitt's career itself would have been impossible without the influence of the Wesleyan revival. He observes most truly:

"Rant about ministerial corruption would have fallen flat on the public ear had not new moral forces, a new sense of social virtue, a new sense of religion been stirring, however blindly, in the minds of Englishmen."

"The great revival of 1800" in the United States rescued "the Northwest Territory" from social disorder and political dismemberment, and made a second Aaron Burr impossible.

A great revival of continental extensiveness is the supreme need of our country at this time. Such a divine visitation would bring to pass blessed results which no mere schemes of superficial reforms can by any possibility achieve.

#### WARRANT OFFICERS OF THE REGULAR ARMY

Mr. WURZBACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5112) to provide for appointment as warrant officers of the Regular Army of such persons as would have been eligible therefor but for the interruption of their status caused by military service rendered by them as commissioned officers during the World War, and consider the same.

The SPEAKER. The gentleman from Texas asks for the present consideration of the bill (S. 5112), which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this affects less than one dozen men, does it not?

Mr. WURZBACH. It affects only 10 men.

Mr. BLANTON. That being the case, I withdraw the objection I made the other day.

Mr. CRAMTON. And a similar bill has been reported by the House committee?

Mr. WURZBACH. Oh, yes; unanimously.

The Clerk read the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### MERCHANT MARINE ACT

Mr. WHITE of Maine. Mr. Speaker, I present a resolution from the Committee on Rules.

The SPEAKER. The gentleman from Maine presents a resolution, which the Clerk will report.

The Clerk read as follows:

#### House Resolution 447

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3896, an act to amend section 11 of the merchant marine act, 1920, and to complete the construction loan fund authorized by that section. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by those favoring and opposing the bill, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. WHITE of Maine. Mr. Speaker and gentlemen of the House, this rule makes in order the consideration of Senate bill 3896. This bill, as I understand, passed the Senate without opposition. It comes before the House with the unanimous approval of the Committee on the Merchant Marine and Fisheries of this body.

Very briefly, the situation is this: By the merchant marine act of 1920 there was established what is known as the construction-loan fund. Section 11 of this act was amended in 1924. The provision as originally enacted and as amended authorized the setting aside from the proceeds of sales of vessels and from operations of a sum of money, to be used for loans to private citizens for the construction of ships in American yards and for the reconditioning of existing vessels.

Now, because of the limitations in the act itself, and more especially because of the construction put upon the act by the Comptroller General, the amount of the fund as it was originally conceived has not been realized. This bill seeks to make effective the original conception of the construction-loan fund.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. LAGUARDIA. Is the fund existent?

Mr. WHITE of Maine. The original fund was supposed to total \$125,000,000, but because of conditions which the chairman of the committee will fully explain to the membership of the House, there is at the present time in this fund only about \$38,000,000. There has gone into the fund in the whole period of time since its inception in 1920 approximately \$67,000,000.

Mr. LAGUARDIA. What is the source of this fund; what does it come from?

Mr. WHITE of Maine. It comes from proceeds of sales of vessels, and it was to come from operations. There has been no profit from the operation of the vessels, so that the fund has come almost exclusively—I may say exclusively—from proceeds of sales. It has not reached anywhere near the figures originally contemplated by the legislation, because the receipts from sales and from operations have fallen below expectations, and because of constructions put upon the act and the 1924 amendment by the Comptroller General. In the first place, the Comptroller General ruled that only a limited amount in any one year could be turned into the fund; and substantial amounts of money which accrued from sales during particular years were lost to the fund because they were in excess of the amount fixed in the statute for the given year. In this view I believe the Comptroller General was right.

Then there were certain assets—notes, mortgages, and other securities—which it was supposed would find their way into the fund, but under this ruling of the Comptroller General these could not be passed to the fund. This act would make available to the fund these assets, notes, mortgages, and other evidences

of indebtedness which the Comptroller General has ruled may not technically be passed into the fund, as it is perfectly clear Congress intended they should be.

Mr. BLANTON. Will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. BLANTON. When we passed the 1920 act and when we passed the amendment in 1924 it was in contemplation by some Members of the House that ultimately this \$125,000,000 would go back into the Treasury some day. But it is the purpose of the Shipping Board and the Emergency Fleet Corporation and those who handle the funds to keep it out of the Treasury as long as possible.

Mr. WHITE of Maine. I would not agree with the gentleman that it was ever the thought that the specific funds would work back into the Treasury.

Mr. BLANTON. What would become of it? Would it evaporate?

Mr. WHITE of Maine. The purpose of the fund was for loans to aid in the construction and reconditioning of vessels in private shipyards of the United States. I think it is true—and the gentleman is right in this—that it was understood and believed that ultimately these loans would be paid, and when paid the fund would be covered into the Treasury of the United States.

Mr. BLANTON. Then the gentleman does admit that it would go back finally into the Treasury?

Mr. WHITE of Maine. But this amendment does not affect that purpose at all.

Mr. BLANTON. But they have been trying ever since to keep the money out of the Treasury.

Mr. WHITE of Maine. I do not agree with the gentleman in that. The 1924 amendment did primarily two things: It enlarged the purpose for which the fund might be used, it provided that it might be used in the construction of vessels and the reconditioning and modernizing of ships, so that they might compete with other vessels in the world trade, and it carried detailed provisions designed to safeguard loans made, so that the United States would be repaid.

Mr. BLAND. Was it not the original purpose of the fund to build up a merchant marine and finally to transfer it to private owners, and if America was successful in building up a merchant-marine the money would go back into the Treasury?

Mr. WHITE of Maine. Absolutely; and this amendment seeks to make effective that purpose.

Mr. BLAND. And this loan fund has always been well secured?

Mr. WHITE of Maine. Absolutely. Ample provisions were carried in the 1920 act and in the amendment of 1924 to secure the United States for the loans.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. WHITE of Maine. I will yield to the gentleman.

Mr. BLACK of Texas. Can the gentleman give any information as to how promptly the payments are being made on the loans which have been made?

Mr. WHITE of Maine. That is a question that could be more properly addressed to the chairman of the committee, but I will give the gentleman a general answer.

Mr. SANDLIN. I can give the gentleman the information. The payments have been promptly made.

Mr. BLACK of Texas. Are there any in arrears?

Mr. SANDLIN. The testimony was that there was not.

Mr. WHITE of Maine. I do not want the gentleman to misunderstand the situation. In the seven years since 1920 there have been made and now are outstanding unpaid loans totaling something over—total unpaid loans and commitments, totaling something like \$15,000,000.

Mr. BLANTON. One question more. They are extending the loans as long as 50 years, are they not?

Mr. WHITE of Maine. No. The amendment of 1924 does not permit a loan for over 15 years.

Mr. BLANTON. Is it not a fact that 15 years is about the ordinary life of one of these vessels?

Mr. WHITE of Maine. No. Even the underwriters, who figure very closely, say the average life of a cargo vessel for efficient and economic use is 20 years.

Mr. BLANTON. We sold the vessels for practically nothing, did we not?

Mr. WHITE of Maine. The primary purpose—

Mr. BLANTON. This is to recondition the vessels that were sold?

Mr. WHITE of Maine. It may be used to recondition vessels other than those that were sold. It will be used generally to encourage the building of new ships and to modernize the fleet of American vessels now in being.



Mr. BLAND. Is not this the only method prescribed at the present time whereby a modern, effective, merchant marine, American-owned fleet can be kept on the seas?

Mr. WHITE of Maine. Absolutely; and that is the purpose of the committee in approving this legislation and presenting it to the House.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. LAGUARDIA. Can any owner of an American ship obtain a loan if he has sufficient equity in the ship to give security?

Mr. WHITE of Maine. The amendment of 1924 dealt specifically with that question, and prescribed in detail the character and the degree of security which the United States must have in order for one of these loans to be made.

Mr. LAGUARDIA. And if it comes within that, he can obtain a loan as a matter of right?

Mr. WHITE of Maine. No; it is in the judgment of the Shipping Board.

Mr. JACOBSTEIN. Who passes on the security?

Mr. WHITE of Maine. The Shipping Board.

Mr. JACOBSTEIN. Does the Treasury Department or the Comptroller General pass upon it?

Mr. WHITE of Maine. No; the Shipping Board passes upon the character of the security and the sufficiency of it and the advisability of making the loan, the real and final test being whether there will or will not be a resulting advantage to our merchant marine.

Mr. BLACK of Texas. How much more money is it expected will go into this fund by reason of the passage of this bill?

Mr. WHITE of Maine. The passage of this bill does not lift the original figure set for this construction loan fund at all.

Mr. BLACK of Texas. Where is this money to come from?

Mr. WHITE of Maine. This money is to come from the proceeds of sales of Government vessels.

Mr. BLACK of Texas. Up to \$125,000,000?

Mr. WHITE of Maine. Up to \$125,000,000.

Mr. BLAND. Is not this the fact: When the Shipping Board sold, it sold partly for cash and partly for security?

Mr. WHITE of Maine. Yes.

Mr. BLAND. It was permitted to put \$25,000,000 per year into that fund?

Mr. WHITE of Maine. And not to exceed that.

Mr. BLAND. But it did not have \$25,000,000 in cash, and the comptroller could not give them the benefit of the securities and would not allow them to be transferred as cash.

Mr. WHITE of Maine. That is correct. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

#### A QUESTION OF PERSONAL PRIVILEGE

Mr. JOHNSON of Washington. Mr. Speaker, I rise to a question of personal privilege.

Mr. BLANTON. The gentleman can not do that. The House has already voted to go into the Committee of the Whole.

The SPEAKER. If the gentleman from Washington asserts that he presents a question of high personal privilege, the Chair will recognize him.

Mr. JOHNSON of Washington. Mr. Speaker, I regret exceedingly to take up the time of the House on this matter in this strenuous closing hour, and I shall be brief, using possibly not to exceed five minutes. The question of personal privilege to which I rise is to be found in the report of the proceedings of yesterday, on page 5647 of the CONGRESSIONAL RECORD, in the remarks of the gentleman from Texas [Mr. Box], some of which remarks were made in debate and some of which, I am constrained to believe, were not made in debate, but were added afterwards. The particular charges about which I complain and which I think gives me the right to rise to a question of personal privilege may be found in the following language:

The doughboys did not dip the flag to Germany while in Europe, but the chairman is making his obeisance to hostile American-Germans who abuse the doughboys and asking you to bow low before them now.

Mr. Speaker, I resent that, and charge that it impugns my motives and imputes or implies that I have done something which, as a fact, I have not done.

I object also to the following statement in the reported speech of the gentleman from Texas [Mr. Box]:

I would hate to be a sheep and have the gentleman from Washington for a shepherd. I would need a crooked and weak spine to walk in all the crooked paths in which he would lead me.

Mr. Speaker, I also take exception to the following from the same speech by the same gentleman:

The gentleman from Washington [Mr. JOHNSON], in inducing you to pass this, does not take you into his confidence fully. He and the people for whom he is speaking want to repeal the national-origins provision of the law, which until recently he so ardently advocated.

Mr. Speaker, I realize in the closing days of the Congress there is much stress, and I make full allowances for all of the circumstances, but—

Mr. CONNALLY of Texas. Mr. Speaker, I make the point of order that the gentleman from Washington does not state a question of personal privilege. In the first place, whatever was said was said in debate, should have been called to the attention of the House at that time, and the gentleman from Washington should have demanded at the time that the words be taken down. I submit, furthermore, that the language does not impute to the gentleman anything upon which he can base the right to rise to a question of personal privilege.

Mr. JOHNSON of Washington. The language, Mr. Speaker, charged me with deliberately attempting to mislead Members of the House.

Mr. CONNALLY of Texas. Oh, that is something that is charged here by somebody about somebody else on this floor every time that we have a debate.

Mr. JOHNSON of Washington. I do not think so, in any such measured words as these.

Mr. BOX. Mr. Speaker, will the gentleman from Washington yield?

Mr. JOHNSON of Washington. Yes.

Mr. BOX. All that I said was that the gentleman in discussing the bill did not take the House fully into his confidence and appealed only for a suspension of that act for one year, and that what was meant by that was that the committee, under the gentleman's leadership, had just before that presented a resolution to repeal the national-origins clause but had withdrawn it. What I said in that connection was fully explained by the remainder of that very paragraph that the gentleman read.

Mr. JOHNSON of Washington. And that charge, Mr. Speaker, constitutes one of the very points, as I propose to clearly show. The gentleman indicts me, but overlooks the printed reports of the committee.

The SPEAKER. The gentleman from Texas [Mr. CONNALLY] raises a point of order. The Chair has read this language carefully several times. The Chair does not think that it raises a question of privilege. He does not think there is any imputation upon the standing of the gentleman from Washington as a Member. It occurs to the Chair that the word "crooked" there simply refers to a path, and not to the gentleman from Washington.

Mr. JOHNSON of Washington. But I deny that the path is crooked. I deny it emphatically. I resent the sly innuendo. Such remarks do not lead to the peace and dignity of this House. The rules are very clear.

Mr. CONNALLY of Texas. Mr. Speaker, I insist upon the point of order.

The SPEAKER. The Chair sustains the point of order.

Mr. JOHNSON of Washington. Mr. Speaker, I rise to a further point of order.

Mr. SNELL. Mr. Speaker, I demand the regular order.

Mr. JOHNSON of Washington. Mr. Speaker, I make the further point, and I rise for the purpose of saying that this charge that I am attempting to deceive the membership of the House are disproved by the records of the committee and the two printed reports therefrom on the resolution which was up for consideration last night.

Mr. CONNALLY of Texas. Mr. Speaker, I make the point of order.

Mr. JOHNSON of Washington. As a matter of fact every step taken is a matter of proper committee record and is shown in the reports, so that no Member could or should charge me

with leading him in a "crooked path." It is that, Mr. Speaker—

Mr. CONNALLY of Texas. Mr. Speaker, I make the point of order that the gentleman is not stating a question of privilege.

The SPEAKER. The Chair does not think that there is any question of privilege involved in that statement.

Mr. JOHNSON of Washington. I trust that the Speaker does not contend that when it is charged on the floor that a Member of this House is making his obeisance to hostile Germans who abused doughboys that that is not an abuse of the privileges of the House and does not impugn the standing of a Member of the House against whom the charge is made? Mr. Speaker, I can not remain quiet under such an accusation. It is worse than a poisoned dart. It was said for a purpose. I resent it.

Mr. RANKIN. Mr. Speaker, the gentleman from Washington took the floor and spoke after the gentleman from Texas made that statement.

Mr. JOHNSON of Washington. Oh, the gentleman from Mississippi knows that the gentleman from Texas spoke only a portion of his remarks. He read part of his remarks. He skipped parts of his prepared statement. There was noise and—

Mr. RANKIN. He did not read it. He stood over on this side of the House and stated it.

Mr. CONNALLY of Texas. I make the same point of order, Mr. Speaker, as that I made before.

The SPEAKER. There is much latitude allowed in debate. In the opinion of the Chair the gentleman from Texas did not impute anything dishonorable to the gentleman from Washington. The Chair does not think he did.

Mr. BLANTON. Well, Mr. Speaker, this is the most economical way to spend the time anyway.

Mr. JOHNSON of Washington. Mr. Speaker, with the statement that Members should be extremely careful not to violate the rule with regard to making accusations against other Members, and that it is a dangerous thing to impugn the motives of another, and that charges by innuendo and sly, mischievous use of words are not only unfair, but are low and mean. I deny retreat or that I have misinformed anyone, and I shall not press the matter further at this time.

Mr. Speaker, under leave granted to extend remarks let me say that I shall place in the CONGRESSIONAL RECORD prior to March 14, a statement as to the situation in reference to restrictive immigration, and outline a program which has been talked over by members of the committee for some time past. I call attention to a bill introduced by me to-day, the number of which will be found in its proper place in this RECORD, H. R. 17401, a bill to further restrict immigration. It is likely to be part of the program. In my remarks I shall show that neither the chairman nor the committee has retreated, or bent the knee, or made obeisance, or made a crooked path for others to follow. When the report on the immigration bill, which became the act of 1924, was signed by myself and 14 other members out of 17 members of the committee, the bill contained no "national-origins" provision. In conference we yielded doubtfully, to save the bill—which bill is now the law. We are now marching to the position originally held. If there was wavering, it was then; not now. When winter comes and the Seventieth Congress sits we shall know much more about national origins than we now know. In the meantime, I thank the Members who by more than two-thirds vote authorized one year's postponement of that plan. Before we are through, my friends, Ellis Island will be abolished, and our immigration troubles will be at an end.

#### AMENDMENT OF THE MERCHANT MARINE ACT OF 1920

Mr. SCOTT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 3896, to amend section 11 of the merchant marine act, 1920, and to complete the construction-loan fund authorized by that section.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3896. The question is on agreeing to that motion.

Mr. McCLINTIC. Mr. Speaker, what is the bill?

The SPEAKER. Senate bill 3896.

Mr. McCLINTIC. May we have it reported?

The SPEAKER. The question is on agreeing to that motion.

#### ACCOUNT BETWEEN THE STATE OF NEW YORK AND THE UNITED STATES

The SPEAKER. The Chair is informed that the gentleman from Pennsylvania [Mr. GRAHAM] has a matter involving

going into conference with the Senate. The Chair will now recognize the gentleman from Pennsylvania to make his motion.

Mr. GRAHAM. Mr. Speaker, I move that the House take up resolution H. J. 207, disagree to the Senate amendments, and ask for a conference.

Mr. CRAMTON. Mr. Speaker, if it involves unanimous consent I will object. I reserve the right to object in order to make a statement. I would want this assurance: That the bill, if it becomes a law, is to become a law in the form in which it was passed by the House, and I want to make this statement in order that I may not appear too arbitrary. The Senate amendment is not germane and is put on as a rider on the bill without having had any consideration by any committee of the House.

The SPEAKER. The gentleman from Pennsylvania moves to take from the Speaker's table House Joint Resolution 207, disagree to the Senate amendments, and ask for a conference. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 207) directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906.

The SPEAKER. Is there objection?

There was no objection; and the Speaker appointed as the conferees on the part of the House Mr. GRAHAM, Mr. MICHENER, and Mr. TUCKER.

#### AMENDMENT OF THE MERCHANT MARINE ACT OF 1920

The SPEAKER. The gentleman from Michigan [Mr. SCOTT] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Senate bill 3896. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Ohio [Mr. BEGG] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3896) to amend section 11 of the merchant marine act, 1920, and to complete the construction-loan fund authorized by that section, with Mr. BEGG in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 3896, which the Clerk will report by title.

The Clerk read as follows:

A bill (S. 3896) to amend section 11 of the merchant marine act, 1920, and to complete the construction-loan fund authorized by that section.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. BLANTON. Mr. Chairman, it is not properly reported until the Clerk reads it. I do not care for the Clerk to read the preamble, which is stricken out, but he should read the bill.

Mr. LAGUARDIA. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. LAGUARDIA. This bill is to be read under the regular rule, not under the five-minute rule for amendment?

The CHAIRMAN. No. The Clerk will report the bill.

The Clerk read as follows:

Whereas authority was given the United States Shipping Board by section 11 of the merchant marine act, 1920, to establish a fund aggregating \$125,000,000, as a revolving fund to be known as the construction loan fund, to be used, under conditions therein prescribed, in aiding citizens of the United States in the construction of modern vessels in private shipyards within the United States, to be accumulated by setting aside out of revenues from sales and operations \$25,000,000 annually, during a period of five years from the enactment of that act, during which period the revenues from sales alone exceeded \$125,000,000 in cash; and

Whereas the total amount set aside in the construction loan fund during the five-year period was \$67,740,499.58 only, excluding: (a) \$11,808,729, revenues from sales and operations, also set aside as a part of that fund, in cash, during the year 1923, but which was transferred therefrom to the United States Treasury, by direction of the Treasury Department, for technical reasons, notwithstanding revenues from sales and operations to the time the transfer was made exceeded the amount transferred; and (b) certain securities having an aggregate face value of \$18,464,177, by their terms due and payable subsequent to June 5, 1925, consisting of notes, letters of credit, and other evidences of debt taken by the board for deferred payments of purchase



money for sales made on terms allowing deferred payments so as to effect sales and secure higher prices which securities, however, the Comptroller General of the United States has ruled are not a part of the fund, on the ground that they were not converted into cash within the five-year period, notwithstanding the securities could have been sold within that period, but were not thus sold in order to save the United States the discount such sale would have involved; and

Whereas the construction loan fund is effective in promoting the policy declared in the first section of the merchant marine act, 1920, particularly the policy that the American merchant marine shall be ultimately owned and operated privately by citizens of the United States: Therefore, to the end that the construction loan fund may be completed to the amount originally authorized,

*Be it enacted, etc.,* That the first paragraph, being the paragraph marked "(a)," of section 11, of the merchant marine act, 1920, as amended by the act of June 6, 1924, be, and the same is hereby, amended to read as follows (the amendments made thereto by this act shall be retroactive to and effective as from June 5, 1920, the date of the original enactment of the merchant marine act, 1920):

"SEC. 11. (a) That the board may set aside, out of the revenues from sales and operations, including proceeds of securities consisting of notes, letters of credit, or other evidences of debt, taken by it for deferred payments on purchase money from sales by the board, or revenues from vessels controlled by the board, whether such securities are to the order of the United States or the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation, either directly or by indorsement, until the amounts thus set aside from time to time aggregate \$125,000,000. The amount thus set aside shall be known as the construction loan fund. The board may use such fund to the extent it thinks proper, upon such terms as the board may prescribe, in making loans to aid persons citizens of the United States in the construction by them in private shipyards or navy yards in the United States of vessels of the best and most efficient type for the establishment or maintenance of service on lines deemed desirable or necessary by the board, provided such vessels shall be fitted and equipped with the most modern, the most efficient, and the most economical engines, machinery, and commercial appliances; or in the outfitting and equipment by them in private shipyards or navy yards in the United States of vessels already built, with engines, machinery, and commercial appliances of the type and kind mentioned."

SEC. 2. The construction loan fund shall be a revolving fund. All repayments on loans from the fund shall be credited to the fund; interest on such loans, however, shall be paid into the Treasury of the United States as miscellaneous receipts. The proceeds of sales (including proceeds of evidences of debt for deferred payments on such sales) of any vessel or vessels in which since June 6, 1924, the board has had internal-combustion engines installed as the main propulsive power, shall be transferred and credited to the extent necessary to restore to the fund any and all amounts transferred therefrom under the provisions of section 12 of the merchant marine act, 1920, as amended by the act of June 6, 1924.

Mr. SCOTT. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Michigan is recognized for 30 minutes.

Mr. SCOTT. Mr. Chairman, I rise solely for the purpose of explaining as briefly as I can the necessity for this legislation and its justification. As to its justification, as stated by the gentleman from Maine [Mr. WHITE], the Senate passed this bill unanimously, and it came to the House and was reported out unanimously by the committee. Early in the session I introduced the same bill, and hearings were had both in the Senate and in the House.

The situation was this: In 1920 we passed the merchant marine act. The wisdom of Congress then has been confirmed since. As to the construction loan fund therein provided, permit me to say it is the only thing in connection with the maintenance of the merchant marine, in so far as Government participation is concerned, from which the Government has derived one dime of profit. The Shipping Board has kept faith with the Congress in the interpretation of that act, which provided that receipts from sales and operation might be put into the construction loan fund. The Shipping Board, knowing that they were operating under an annual deficit of \$27,000,000 to \$57,000,000, refused to take the revenue from operations and transfer it to the construction loan fund, as permitted by the language of the act. If the board had so acted, they would not be here to-day, because the fund would be complete. But in their effort to obey the spirit of the law, this construction loan fund suffered.

The comptroller ruled that the Shipping Board were only permitted to transfer to this fund cash obtained during the fiscal year. The result was that only a small portion of the construction loan fund has ever been available, because, as suggested by the gentleman from Maine [Mr. WHITE], the great portion of the receipts from sales was in notes and other forms of indebtedness, and the ruling of the comptroller prevented the use of this character of revenue.

They kept these evidences of indebtedness intact; we have been drawing interest on them, and that interest has been returned to the general funds of the Government. It should not be overlooked that any unused balance of this fund is available for utilization by the Government. The Shipping Board requisitions from the Treasury such amounts from time to time as they may require.

Mr. McDUFFIE. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. McDUFFIE. If we are to hold our place on the high seas with our merchant marine, it is absolutely essential and necessary that we recondition these ships and build and equip such ships as can compete with the ships of our competitors for the commerce of the world.

Mr. SCOTT. Absolutely. The gentleman very aptly states it. It has been insisted by the membership of this committee and by the country at large that the Government ought to get out of the shipping business, but it is of greater importance to the country that the citizens of this country remain in the shipping business, and the construction loan fund is the best insurance of such a result.

Mr. BLANTON. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. BLANTON. Here is one of the vices of the bill: The gentleman is providing that this shall become a permanent revolving fund, so that this \$125,000,000 will never be put back into the Treasury.

Mr. SCOTT. If I thought the gentleman's conclusion was correct—

Mr. BLANTON. That is what the bill provides.

Mr. SCOTT. No; the gentleman is wrong about that, as he is frequently wrong about other things.

Mr. BLANTON. I can construe the English language.

Mr. SCOTT. I do not care about that. Let me say to the gentleman that there is a limitation of loans under the act, and Congress may at any time repeal the law, which will automatically terminate the authority of the board to make new loans and the outstanding loans will revert to the Treasury at the expiration of the loan period.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. JACOBSTEIN. Most of the fund has come from the proceeds of sales under the present law?

Mr. SCOTT. Yes; all of it. We changed the pending bill so that the Shipping Board in the future must take the receipts out of revenues from sales.

Mr. BLAND. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. BLAND. Was not the provision for a permanent revolving fund contained in the original act?

Mr. SCOTT. Yes; but a revolving fund is not perpetual; it is always limited by statute, and further restrictions and limitations can be imposed by affirmative action of Congress at any time.

Mr. BLAND. That was in the act of 1920?

Mr. SCOTT. The gentleman is right.

Mr. ABERNETHY. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. ABERNETHY. What assurance have we that the Shipping Board will not do as they have done in the past, burn up ships and sell a lot of them to be scrapped, or with the understanding that they are not to be used in commerce? What assurance have we that that is not what they are going to do now?

Mr. SCOTT. If they are, I am delighted to hear it, because that would diminish the losses.

Mr. McDUFFIE. The gentleman from North Carolina does not know what he is talking about.

Mr. ABERNETHY. I do know what I am talking about, because I know they burned up a lot on the James River.

Mr. HUDSPETH. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. HUDSPETH. This revolving fund is similar to the reclamation fund under the law of 1902.

Mr. SCOTT. That is true.

Mr. HUDSPETH. I am for the bill.

Mr. SCOTT. Certainly you are; and every man who understands the bill is for it.

Mr. Chairman, I yield five minutes to my friend from Tennessee [Mr. DAVIS].

Mr. DAVIS. Mr. Chairman and members of the committee, Members of the House who have served with me and who have taken sufficient interest to observe my course know that I do not hesitate to criticize the actions of the Shipping Board and Emergency Fleet Corporation when I think they deserve criticism. On the other hand, I do not hesitate to commend

them when I think they pursue a commendable course. On the whole, I think they are now doing excellent work. I think you are also aware that I do not hesitate to fight to the full extent of my ability any proposition that comes from the committee of which I am a member if I can not conscientiously accord to it my support. [Applause.] I have more than once stood on this floor and fought the other 20 members of the committee of which I am a member, and I shall not hesitate to continue to pursue that course in the future if my conscience so dictates. But on many occasions I have been able to act in accord with all the members or a majority of the members of that committee. I am in accord with them upon this bill. I think it is a sound, constructive proposition.

I am in favor of an American merchant marine; the membership of this House and the Congress have so declared; both great parties have declared repeatedly and in their last national platforms that they favor an American merchant marine. I am opposed to ship subsidies, as is well known by those who know me, first, because they are wrong in principle, according to my viewpoint, and, second, because they are ineffective. As I have heretofore stated, they never have and never will build up and maintain a merchant marine. But this proposition is not a subsidy. It is simply the fulfillment of a constructive loan fund, a fund that was first created in the merchant marine act of 1920, and which simply provides for loans for ship construction upon security, under proper safeguards and upon a proper payment of interest. It is akin and entirely analogous to farm loans, loans to railroads, and various other loans that the Congress has provided for different branches of American industry.

As has already been stated, the merchant marine act of 1920 set up this revolving construction loan fund, designed to be \$125,000,000. It provided that the Shipping Board should pay into this fund at the rate of not exceeding \$25,000,000 a year for five years, making the total of \$125,000,000. They were authorized to turn into this construction loan fund proceeds from sales of vessels and other properties and from operations. As stated by the gentleman from Michigan, they did not take a dollar from operations.

Mr. ABERNETHY. Will the gentleman yield for a question?

Mr. DAVIS. For a question.

Mr. ABERNETHY. Is this fund properly safeguarded, in the gentleman's opinion?

Mr. DAVIS. I think so, and I think it has been properly administered. Right in this connection I want to say that Admiral William S. Benson—

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SCOTT. Mr. Chairman, I yield the gentleman five minutes more.

Mr. WAINWRIGHT. Will the gentleman give way for a question?

Mr. DAVIS. Yes.

Mr. WAINWRIGHT. Is this loan intended to build up a privately owned merchant marine or the Government's own fleet?

Mr. DAVIS. In view of the fact that it only provides for loans to private citizens who desire to build or recondition ships, of course, the only purpose and effect of it could be to build up and to promote privately owned merchant ships.

Mr. WAINWRIGHT. Does not the gentleman think if privately owned ships could be operated at a profit there would be plenty of private capital to go into the shipping business and they would not need to call upon the Government? Is this going to help keep the American merchant marine on the seas and keep it from dwindling?

Mr. DAVIS. In the first place, I think that it is not possible any more than it is possible in the case of the railroads and others. In the second place, this provides for the money to be loaned at 4½ per cent if the ships are to be operated in the foreign trade and 5½ per cent if they are to be operated in the coastwise trade. In the third place, I want to say that one reason capital is afraid to enter into American shipping—one reason capital is afraid to lend their money to American shipping—is because in an effort to obtain subsidies, shipowners and shipping companies have persistently misrepresented the facts and told the American people repeatedly and continuously that they could make no money in American shipping.

Admiral Benson is at the head of this construction loan fund; that is, he is the member of the board who has specific charge of it, although all loans are subject to the final approval of the whole board. Admiral Benson had not only a long and valuable experience, but had made a record of efficiency in the construction and in the engineering departments of the Navy, and I have never heard of anybody questioning or suspecting the absolute integrity of Admiral Benson. I think he has admin-

istered this loan fund, not only with absolute integrity, of course, but with entire efficiency; that he has properly protected the public interest, and I do not believe any bad loan has been made, and I am sure that under his administration no bad loan will be made.

Consequently, as I have already stated, I think this is a sound, legitimate aid, and that the bill is meritorious. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BLANTON. Mr. Chairman, I ask recognition in opposition to the bill. All of the members of the committee seem to be in favor of the bill.

The CHAIRMAN. Is there any gentleman on the committee opposed to the bill? [After a pause.] The gentleman from Texas is recognized for 30 minutes.

Mr. BLANTON. Mr. Chairman, there are two provisions in this bill which constitute good reasons for its defeat. One is the provision which allows this \$125,000,000 revolving fund to be loaned to private interests to build new ships. It is not merely the reconditioning of vessels already sold by the United States, but it is to be used to put any individual who wants to go into the business into such business on Government capital.

Is this a sound business policy for this Government? Oh, my friend from Tennessee [Mr. DAVIS] says he is against subsidies. If this is not a subsidy, I do not know what subsidy means. When you can take an American without any capital at all and let Admiral Benson set him up in the shipping business with Government money, the money out of the people's Treasury, and go into any shipyard he wants to in this country, private or Government, and build new ships with the people's money, it is certainly a subsidy.

Mr. DAVIS. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. DAVIS. I want to say to my friend from Texas that under the specific provisions of the bill he could not borrow more than 50 per cent of the construction cost of the vessel which he desires to operate. So he would put in a dollar every time the Government put in a dollar and would then give the Government a mortgage on the entire ship.

Mr. BLANTON. Oh, I have lived long enough in this world to know how business subterfuges are carried out by some business men when they are being financed by the Government. Suppose the gentleman from Tennessee [Mr. DAVIS] had a constituent in Tennessee who wanted to go into the business, and he could go to a private shipyard and enter into a contract with the private shipyard that is always seeking business and seeking big contracts to build a modern ship, say, for \$5,000,000, and it is a ship that ought to be built for half that sum, then the Government lends the one-half and there is an understanding with the shipyard that the payment of the other one-half is waived.

There you would have a case where Admiral Benson would be putting out of the people's Treasury 100 per cent of the building cost, and I am not in favor of that policy.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. JACOBSTEIN. Is it the gentleman's understanding that the money is going to be loaned on ships already built or to be built?

Mr. BLANTON. On either one; the bill is as clear on that point as it can be. Certainly it can be loaned to construct new ships, and no member of the committee has mentioned that point. No member has mentioned anything but reconditioning vessels already built and sold by the Government. That is the reason I objected last night to taking this \$125,000,000 bill up and passing it in five minutes without proper consideration and debate.

Mr. DAVIS. Will the gentleman yield?

Mr. BLANTON. I will yield to the gentleman.

Mr. DAVIS. With respect to the first proposition, the Shipping Board does not agree to make a loan until all plans and specifications are made and the price stipulated.

Mr. BLANTON. That is merely our presumption. How does my good friend know what Admiral Benson is going to do after Congress adjourns, during the next nine months, when my friend is in Tennessee and the other 434 Members are scattered about their homes all over the United States? Admiral Benson goes by this law, and this law permits him to do it, and I object to such a law being passed.

Mr. DAVIS. I believe that I have observed and investigated the conduct of Admiral Benson and the other members of the Shipping Board as much if not more than any other man in Congress. I have entire confidence in Admiral Benson.



Mr. BLANTON. And so have I. It is not a question of confidence. We are embarking upon a bad policy.

Mr. DAVIS. And I—

Mr. BLANTON. I can not yield further. I want to say to my colleague that there is another bad provision in the bill; and it ought not to be passed, especially in the closing hours of Congress. This money comes out of the Public Treasury, and ultimately it should go back into the Treasury. Every dollar of the proceeds of the sale of the vessels and of the sale of such securities should go back into the Treasury and should become available there for other uses by the people of the United States. When we agreed that this \$125,000,000 should be loaned in the first instance we were given to understand that it was perfectly safe and secure, and that not a dollar of it should be hazarded; that every dollar would eventually come back into the Treasury, and that the taxpayers would not lose a cent.

Now what do they propose to do? They propose to put every dollar from the proceeds of the sale of the ships and securities into this revolving fund—a permanent revolving fund to so remain until it is possibly dissipated. What is a revolving fund? It is a fund that is kept for a particular use only year in and year out as long as it lasts, like the reclamation revolving fund. Have you ever heard of a dollar of the reclamation fund going back into the Treasury? No, and you never will, and it is growing smaller and smaller each year, and you will never see a dollar of this \$125,000,000 revolving fund go back into the people's Treasury.

Mr. LAZARO. Will the gentleman yield?

Mr. BLANTON. I will yield to the gentleman.

Mr. LAZARO. We all know that private capital will not go into the merchant marine at this time.

Mr. BLANTON. Do you know why? Because we are paying about two or three times as high wages to our seamen as other merchant marines in the world.

Mr. LAZARO. Let me complete my question. We know that private capital will not go into merchant marine at this time. We also know that the American people want a merchant marine. Is not that true?

Mr. BLANTON. Yes; and I am as much in favor of an adequate merchant marine as my friend from Louisiana or the gentleman from Tennessee or any other Member. But you are not providing for one in this bill. This \$125,000,000 will be frittered away.

Mr. LAZARO. In order to have a merchant marine you have to compete with the foreign merchant marines of the world, do you not?

Mr. BLANTON. Yes; but we ought to compete with them on a sound business basis, and sound business policy.

Mr. LAZARO. How would you build the ships to compete with the foreign merchant marine?

Mr. BLANTON. Rather than furnish the money to adventurers, I would rather build them by the United States and operate them in behalf of the United States and give the people some service. After we spend this \$125,000,000 we are not sure of having a merchant marine, and we are not sure of reasonable tariff rates for our shippers of raw products.

Mr. MOREHEAD. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman.

Mr. MOREHEAD. I want to congratulate the gentleman from Texas [Mr. BLANTON] on his many efforts to stop extravagant expenditures of the public money, and in talking to this side of the House, because he will get a few votes, but only a few, on a measure of this kind. But he is wasting his time when he is talking to the other side of the House. [Laughter and applause.]

Mr. BLANTON. I thank my friend from Nebraska, Governor MOREHEAD, whom the people of his home State saw fit to elevate to the highest position in Nebraska, and who filled it as he now fills his present position, ably, efficiently, and well—I want to say to him now that I wish we had more men like him in this House who would sit on the front seat here, and who would be here as he has been at every session of the House; and while his modesty has kept him from taking a large part in the proceedings, I predict that in the next Congress you are going to see the former Governor of Nebraska taking an active part here in behalf of the people of the United States. [Applause.]

Mr. SCOTT. Mr. Chairman, I am enjoying the remarks of the gentleman from Texas, but I call the attention of the Chair to the fact that he is not discussing the bill.

The CHAIRMAN. The gentleman from Texas must discuss the bill. That is provided for in the rule.

Mr. BLANTON. Mr. Chairman, I do not blame the gentleman from Michigan [Mr. SCOTT] for becoming restless about my protest against his bill, but if it were to be my last act

in the Congress of the Nation, as this is to be his last act, I would not want to get up on this floor and sponsor a bill that is taking \$125,000,000 of the taxpayers' money away from them and providing that it shall never be returned into their Treasury. I would want my last act in the House of Representatives to be on behalf of the people of the United States and not against their interests.

What are we going to do about this question? Is \$125,000,000 so paltry a sum that we are not concerned about it? I want to say this: That an adequate merchant marine run by this Government, if you please, in behalf of agriculture would be the greatest boon to the producers of this country that you could give them; but you are not giving it to them by putting private enterprise on Government finances into the merchant-marine business. Private enterprise is selfish, private enterprise is in the business only for what it can get out of it. That is always the case. Private enterprise will take the people's money and build its ships and then run them for what profit it can make out of the people. If our Government is to furnish money to build the ships, it should be the United States Government that should fly its own flag over its own merchant marine. And then the farmers of this country would get some benefits from it, because then the farmers of this country could send their products to foreign markets without its costing them more than the sale price they receive. Oh, we can help the railroads, we can appropriate hundreds of millions of dollars for the railroads, we can appropriate this \$125,000,000 to put private enterprise in the shipping business; but when it comes to the producers of this Nation, we will adjourn here in an hour and 20 minutes, and we will not have done one single thing for the farmers of this country.

Mr. SNELL. Mr. Chairman, I make the point of order that the gentleman from Texas is not talking on the bill.

The CHAIRMAN. The point of order is sustained, and the gentleman will proceed in order.

Mr. BLANTON. I am proceeding in order, and I am discussing the bill. It is very plain from the apprehensive face of the gentleman from New York [Mr. SNELL] that he does not like for me to comment on the outrageous way his Republican administration has treated the farmers.

Mr. SNELL. Mr. Chairman, I make the point of order that the gentleman is not talking on the bill.

The CHAIRMAN. The gentleman from Texas will either proceed in order or surrender the floor.

Mr. BLANTON. I am speaking in order; that is what you Republicans do not like. Mr. Chairman, this is a bad bill. [Laughter.] With the permission of my friend from Nebraska [Mr. MOREHEAD], the former governor, I am going to come across the aisle to the Republican side and talk to my subsidy brothers in the Republican Party. This proposal is nothing in the world but a subsidy.

Mr. WAINWRIGHT. Why not?

Mr. BLANTON. Oh, I am not in favor of subsidies and the gentleman from New York is. The American people are not in favor of subsidies like this. The American people want their business enterprises, shipping and otherwise, in the United States, to stand on their own bottoms, to paddle their own canoe, to use their own money and keep their filthy hands out of their Treasury. There is not a dollar in the Public Treasury that did not come out of the pockets of the taxpayers. When you Republicans take \$125,000,000 of the taxpayers' money out of the Treasury to grant this subsidy to private shipowners and private shipbuilders and those who would build ships with Government capital, you are taking money out of that Public Treasury which has to be furnished by taxing the overburdened people who are already taxed beyond endurance in this country. Are you going to keep it up?

Mr. LARSEN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LARSEN. I wonder if the gentleman knows that there is only about \$18,000,000 involved in this matter, and that it is derived from the sale of securities which were derived from the sale of vessels—that there never has been \$125,000,000 invested in it, and never to exceed \$67,000,000? Why is the gentleman talking about \$125,000,000 when they have never had but \$18,000,000?

Mr. BLANTON. I do not yield further.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No. I am going to attend to this other hombre first. The gentleman from Georgia [Mr. LARSEN] in a few days is going back to his constituents to answer for his vote on this bill.

His people of Georgia are going to get the RECORD and read what the bill says. Every word of the bill will be

in this CONGRESSIONAL RECORD, because I had it printed in it, and I want every Georgian to take this RECORD of March 3, 1927, and read this bill, and they will see that my interpretation of it and analysis of it is more correct than that of my friend from Georgia, for it does provide a revolving fund of \$125,000,000. I now yield to the gentleman from New York.

Mr. WAINWRIGHT. When we are subsidizing and proposing to subsidize a lot of other interests, why should we not subsidize the American merchant marine so as to keep our flag on the high seas?

Mr. BLANTON. Mr. Chairman, any man who has ever had any connection with the War Department is in favor of every kind of a subsidy that human ingenuity can think of. The gentleman from New York was in the War Department so long that he has subsidy from the Government on the brain.

Mr. SNELL. Mr. Chairman, I make the point of order that the gentleman is not talking on the bill.

The CHAIRMAN. The Chair will advise the gentleman from Texas that if he does not speak in order the Chair himself will take him off the floor. The gentleman from Texas knows the rule. The rule provides that he must discuss the bill.

Mr. BLANTON. The present occupant of the chair [Mr. BEGG] is making himself ridiculous, and thinks there is no latitude allowed at all in debate.

The CHAIRMAN. No latitude other than that contained in the bill.

Mr. BLANTON. The present occupant of the chair [Mr. BEGG] knows better than anyone else here that he can not take me off of this floor, for I was speaking in order. I yielded to the gentleman from New York [Mr. WAINWRIGHT], who admitted that I was correct in my contention that loaning this \$125,000,000 of public money to private enterprise to build new ships is a subsidy, and he asked me a pertinent question, namely, why should we not subsidize our merchant marine, and I prefaced my answer to him by telling him that his experience in the War Department caused him to have subsidy on the brain. In no way was I out of order. I was strictly in order. It was the Chairman who was out of order. It is said that "A little power doth make us mad." Presiding in the chair just now has gone to the Chairman's head. He is inclined to be officious. He is inclined to be autocratic. But I know the rules of this House just about as well as the present occupant of the chair. I have been discussing this bill and doing nothing else since I first took the floor. But I must return to my position on the other side of the aisle.

Mr. Chairman and gentlemen of the Republican Party, I am going to discuss this bill for a few minutes longer, and for fear that another point of order will be made I am going to confine my discussion to the actual language of the bill itself. Here is the way the bill reads:

The board may use such fund to the extent it thinks proper upon such terms as the board may prescribe.

Get that—

upon such terms as the board may prescribe.

There is no limitation upon them at all with reference to this \$125,000,000. It is left entirely to their discretion and judgment, placing no safeguards around the people's money at all. To do what? Let me show you:

In making loans to aid persons, citizens of the United States, in the construction by them in private shipyards or navy yards in the United States of vessels—

And so forth.

Do not you see what this bill means? It means to build new ships for private persons with the people's money. Now, let me read you another clause from this bill, so that he who runs may read and understand:

The construction loan fund shall be a revolving fund. All repayments on loans from the fund shall be credited to the fund.

Listen:

The proceeds of sales—including proceeds of evidences of debt for deferred payments on such sales—of any vessel or vessels in which since June 6, 1924, the board has had internal-combustion engines installed as the main propulsive power, shall be transferred and credited to the extent necessary to restore to the fund any and all amounts transferred therefrom under the provisions of section 12 of the merchant marine act, 1920, as amended by the act of June 6, 1924.

That means up to \$125,000,000 in amount. If you gentlemen want to vote for that kind of a bill, all right.

I have the consolation in closing, Mr. Chairman, of knowing this: That by occupying this floor for 30 minutes, even if I can not defeat this bill, I probably have prevented from passing

some 40 or 50 other bad bills that would have taken much money out of the Treasury.

We have passed in this House every bill that ought to have been passed, and have sent each and all of them to the Senate in plenty of time for it to have passed them and had the President to sign them. And if any important public bills die, they will die because the Senate has not passed them. The bills that will be called up in the House now are such—many of them are—that they should not pass. Many of them involve large sums of money, and have no merit, and it is a public service to the people of the United States to take up the time here, so that such bad bills can not be passed. And by using this 30 minutes against this bill, I have kept many bad bills from being called up and passed. I fully realize that in this present atmosphere it will be impossible to defeat this bill. It will be passed here by a big majority. But it may not become a law even then. And this \$125,000,000 may be saved for the tax-paying people of the United States. I have done my full duty by the people in taking up this time.

Mr. SCOTT. Mr. Chairman, I move that all debate now close.

Mr. BLANTON. You can not do that. I do not care to use your time.

The CHAIRMAN. The Clerk will report the bill.

Mr. EDWARDS. Mr. Chairman, I ask unanimous consent that the reading of the bill be dispensed with.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Sec. 11. (a) That the board may set aside, out of the revenues from sales and operations, including proceeds of securities consisting of notes, letters of credit, or other evidences of debt, taken by it for deferred payments on purchase money from sales by the board, or revenues from vessels controlled by the board, whether such securities are to the order of the United States or the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation, either directly or by indorsement, until the amounts thus set aside from time to time aggregate \$125,000,000. The amount thus set aside shall be known as the construction loan fund. The board may use such fund to the extent it thinks proper, upon such terms as the board may prescribe, in making loans to aid persons citizens of the United States in the construction by them in private shipyards or navy yards in the United States of vessels of the best and most efficient type for the establishment or maintenance of service on lines deemed desirable or necessary by the board, provided such vessels shall be fitted and equipped with the most modern, the most efficient, and the most economical engines, machinery, and commercial appliances; or in the outfitting and equipment by them in private shipyards or navy yards in the United States of vessels already built, with engines, machinery, and commercial appliances of the type and kind mentioned.

With committee amendments, as follows:

Page 3, line 8, strike out the words "and operations."

Page 3, lines 11 and 12, strike out the words "or revenues from vessels controlled by the board."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 2. The construction loan fund shall be a revolving fund. All repayments on loans from the fund shall be credited to the fund; interest on such loans, however, shall be paid into the Treasury of the United States as miscellaneous receipts. The proceeds of sales (including proceeds of evidences of debt for deferred payments on such sales) of any vessel or vessels in which since June 6, 1924, the board has had internal-combustion engines installed as the main propulsive power, shall be transferred and credited to the extent necessary to restore to the fund any and all amounts transferred therefrom under the provisions of section 12 of the merchant marine act, 1920, as amended by the act of June 6, 1924.

With a committee amendment, as follows:

Strike out all of the preamble.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. SCOTT. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The CHAIRMAN. The gentleman from Michigan moves that the committee rise and report the bill to the House with amendments, with the recommendation that the amendments be



agreed to and that the bill as amended do pass. The question is on agreeing to that motion.

Mr. BLANTON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 201, noes 42.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BEGG, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 3806) to amend section 11 of the merchant marine act, 1920, and to complete the construction loan fund authorized by that section, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SCOTT. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

Mr. BLANTON. I ask for a division on that, Mr. Speaker.

The SPEAKER. The gentleman from Texas asks for a division.

The House divided; and there were—ayes 305, noes 9.

So the bill was passed.

#### REMOVING CLOUD ON LANDS IN MISSISSIPPI

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4782.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent for the present consideration of the bill S. 4782.

Mr. LARSEN. Mr. Speaker, reserving the right to object—

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill.

A bill (S. 4782) to remove a cloud on title

*Be it enacted, etc.,* That the United States hereby relinquishes all the right, title, and interest of the United States, acquired by virtue of a marshal's deed dated August 21, 1848, in the following-described property situated in Harrison County, Miss., to wit:

The west half of the southwest quarter of section 30, township 7, south of range 10 west, and east half of southeast quarter of section 25, township 7, south of range 11 west, lying south of Bernards Bayou and containing about 150 acres.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

#### CONFERENCE REPORT—NATIONAL ARBORETUM

Mr. HAUGEN. Mr. Speaker, I call up the conference report on Senate bill 1640, authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes.

The SPEAKER. The gentleman from Iowa calls up a conference report, which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the Senate bill (S. 1640) authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

Line 14, section 1 of amendment, strike out the word "total," and immediately after the word "of" insert the following words: "any part of". Line 15 strike out the words "of the total", making this portion read as follows: "the Secretary of Agriculture is authorized in his discretion to acquire, within the limits of the appropriation authorized by this act, by private purchase or gift, land so located or other land within or adjacent to the District of Columbia: *Provided*, That the purchase

price of any part of said land shall not exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value."

And the House agree to the same.

G. N. HAUGEN,  
FRED S. PURNELL,  
J. B. ASWELL,

*Managers on the part of the House.*

CHAS. L. McNARY,  
G. W. NORRIS,  
E. D. SMITH,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1640) authorizing the Secretary of Agriculture to establish a national arboretum, and for other purposes, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report.

The House amendment to the Senate bill (S. 1640) eliminates the park and recreational provisions of the bill.

It adds the following section (sec. 4): "The Secretary of Agriculture is authorized to create an advisory council in relation to the plan and development of the national arboretum to be established under this act, to include representatives of national organizations interested in the work of the arboretum."

It adds the proviso relative to purchase in section 1, as follows: "*Provided*, That the total purchase price of said land shall not exceed the full-value assessment of the total of such property last made before purchase thereof plus 25 per cent of such assessed value."

The word "total," line 13, after the word "the" in the proviso, section 1, is eliminated and the words "any part of" added immediately after the word "of," in line 15 of the same proviso, and the words "of the total," immediately after the word "assessment," in line 16 of the same proviso, are eliminated. All of which, in effect, would permit the purchase of any part or parts of the said tract of land within the real-estate assessment basis of the limitation.

G. N. HAUGEN,  
FRED S. PURNELL,  
J. B. ASWELL,

*Managers on the part of the House.*

During the reading of the conference report the following occurred:

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. Is this a conference report on the Senate bill?

Mr. HAUGEN. It is.

Mr. KINCHELOE. Is this the conference report or the Senate bill?

Mr. HAUGEN. It is the conference report.

The Clerk concluded the reading of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

WALTER B. AVERY AND FRED S. GICHNER

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 12563, for the relief of Walter B. Avery and Fred S. Gichner, and concur in the Senate amendment.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table H. R. 12563 and concur in the Senate amendment. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

JOSEPH JAMESON

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill (S. 2788) for the relief of Joseph Jameson, and consider the same.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table Senate bill 2788, and consider the same. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

LILLIE F. EVANS

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill (S. 1818) for the relief of Lillie F. Evans.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table Senate bill 1818, and consider the same. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury of the United States is hereby directed to pay to Lillie F. Evans, of Atlanta, Ga., the sum of \$7,500 in payment of her claim growing out of the death of her husband, Walter L. Evans, accidentally killed on April 24, 1924, by a bullet fired by the United States Army during target practice on the Rose Dhu Rifle Range near Savannah, Ga.

With the following committee amendments:

On page 1, line 4, after the word "pay," insert the words "out of any money in the Treasury not otherwise appropriated."

Page 1, line 6, after the word "Georgia," insert the words "in full settlement against the Government."

Page 1, line 7, strike out "\$7,500" and insert in lieu thereof "\$5,000."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

CLERK TO THE COMMITTEE ON MILEAGE

Mr. MACGREGOR. Mr. Speaker, I present a privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents a privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 445

*Resolved,* That there shall be paid out of the contingent fund of the House of Representatives the sum of \$150 as compensation to a clerk to be appointed by the chairman of the Committee on Mileage for the second session of the Sixty-ninth Congress.

The resolution was agreed to.

RETIRING ROOM ATTENDANT

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 442

*Resolved,* That there shall be paid out of the contingent fund of the House of Representatives the sum of \$95 per month, as compensation for an attendant to the retiring room of the female Members of the House of Representatives, up to and including March 4, 1927, said attendant to be appointed by the Doorkeeper of the House of Representatives, payment to commence from the date such attendant entered upon the discharge of her duties, which shall be evidenced by the certification of the Doorkeeper of the House of Representatives.

The resolution was agreed to.

ADDITIONAL CLERICAL SERVICES IN THE ENROLLING ROOM

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read the resolution as follows:

House Resolution 441

*Resolved,* That there shall be paid out of the contingent fund of the House during the remainder of the present session not exceeding \$100 for additional clerical services in the enrolling room.

Mr. SNELL. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. SNELL. I want to ask the chairman of the Committee on Accounts whether he is going to bring in at this time any resolutions increasing individual salaries?

Mr. MACGREGOR. Mr. Speaker, in view of the resolution which was passed yesterday directing the interim Committee on Accounts to make an inquiry with reference to the salaries of employees, and in view of the fact that such resolutions would be controversial I shall not attempt to offer any such resolutions.

Mr. ABERNETHY. Mr. Speaker, reserving the right to object—

Mr. MACGREGOR. The gentleman can not do that.

Mr. ABERNETHY. Yes; I reserve the right to object.

Mr. MACGREGOR. Mr. Speaker, I do not yield.

The SPEAKER. The gentleman declines to yield.

The resolution was agreed to.

TELEPHONE OPERATORS

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 440

*Resolved,* That there shall be paid out of the contingent fund of the House, at the rate of compensation now authorized by law, to continue the employment of the three session telephone operators from April 1 to November 30, 1927, inclusive.

The resolution was agreed to.

MRS. HUGH BIERMAN

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 406

*Resolved,* That the Clerk of the House of Representatives be directed to pay, out of the contingent fund of the House, to Mrs. Hugh Bierman, daughter of J. S. Huntley, late employee of the House of Representatives, a sum equal to six months' salary of the position he held, and that the Clerk be further directed to pay out of the contingent fund the expenses of the last illness and funeral of the said J. S. Huntley, not to exceed the sum of \$250.

The resolution was agreed to.

NORMAN E. IVES

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents another privileged resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 390

*Resolved,* That there be paid out of the contingent fund of the House \$400 to Norman E. Ives for extra and expert services to the Committee on Invalid Pensions, from March 4, 1926, to June 30, 1926, as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

The resolution was agreed to.

CITY OF VANCOUVER

Mr. JAMES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4977) to authorize the Secretary of War to grant and convey to the city of Vancouver a perpetual easement for public-highway purposes over and upon a portion of Vancouver Barracks Military Reservation, in the State of Washington.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.



# DETERIORATED AND UNSERVICEABLE AMMUNITION AND COMPONENTS

Mr. JAMES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4692) to amend the act approved June 1, 1926 (Public, No. 318, 69th Cong.), authorizing the Secretary of War to exchange deteriorated and unserviceable ammunition and components, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, we had this bill up in the House and it was objected to.

Mr. JAMES. This is a bill to sell it instead of exchanging it.

Mr. LAGUARDIA. To sell what?

Mr. JAMES. To sell the ammunition instead of exchanging it.

Mr. LAGUARDIA. Whom are you going to sell it to?

Mr. JAMES. Powder companies, and use the funds for other purposes.

Mr. LAGUARDIA. Is it intended to sell it to other countries that may be involved in trouble?

Mr. JAMES. Oh, no.

Mr. LAGUARDIA. Can it be used as ammunition?

Mr. JAMES. No.

Mr. REECE. Mr. Speaker, I object.

## NEW YORK STATE SOLDIERS AND SAILORS' HOME

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12107) to authorize the Secretary of War to accept conveyance of the cemetery at the New York State Soldiers and Sailors' Home to the United States, and for other purposes.

The SPEAKER. Is this a Senate bill?

Mr. HILL of Maryland. It is a House bill with a committee amendment.

The SPEAKER. The Chair will not recognize the gentleman for that purpose.

## MUSCLE SHOALS

Mr. QUIN. Mr. Speaker, I ask unanimous consent to place in the RECORD an analysis of the offer for Muscle Shoals by the Associated Power Cos.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, has the committee taken any action on Muscle Shoals?

Mr. QUIN. No; they rejected the two bids that were before the committee and there was a report made by the committee.

The SPEAKER. Is there objection?

There was no objection.

Mr. QUIN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

### MUSCLE SHOALS FERTILIZER CO.—MUSCLE SHOALS POWER DISTRIBUTING CO.

#### ANALYSIS OF MUSCLE SHOALS OFFER

[H. R. 11602, 69th Cong., 1st sess. (Rept. No. 980)]

SECTION 1. Power companies operating in Tennessee, Mississippi, Alabama, Florida, Kentucky, Georgia, Louisiana, and Arkansas organized the Muscle Shoals Fertilizer Co. and Muscle Shoals Power Distributing Co. to make proposal to lease nitrate properties and operate same in production of nitrogen and other fertilizer ingredients, and to lease and operate the Government power plants. Muscle Shoals Power Distributing Co. agrees to provide \$20,000,000 for fertilizer production, and in addition such amounts as necessary for development and expansion of power plants, estimated at \$40,000,000, making a total of \$60,000,000.

The entire common stock of the fertilizer company is owned by the power distributing company, and the common stock of the power distributing company to be subscribed by or on behalf of the associated power companies, the latter agreeing not to dispose of shares of the fertilizer company unless Congress shall otherwise direct, except to qualify directors and officers.

(The power companies advised the chairman of the joint Muscle Shoals committee by letter that the total of \$12,750,000 of stock of the Muscle Shoals Power Distributing Co. had been subscribed by or on behalf of the 13 power companies so that the fertilizer company could go forward promptly with fertilizer production. S. Rept. 1120, 69th Cong., 1st sess., dated June 21, 1926.)

SEC. 2. The fertilizer company leases the nitrate plants, including the lands, buildings, and other property owned in connection with same.

SEC. 3. The fertilizer company agrees to construct on the leased premises or elsewhere, as may be approved by the Secretary of War and Secretary of Agriculture within the radius of economic transmission of power from Muscle Shoals, synthetic ammonia plants to the capacity of 20,000 tons of fixed nitrogen within six years from date of lease and to operate same to full capacity as provided in lease.

In case the synthetic process does not produce economic fertilizer as determined by the farmer board and Secretary of Agriculture after reasonable trial, lessee agrees to adopt other commercial processes that will produce quantity set out in section.

Lessee agrees that first 10,000-ton unit of fixed nitrogen will be in operation within three years, and second 10,000-ton unit within three years thereafter; and after the units of 20,000 tons capacity have operated to full capacity for two consecutive years, company agrees, in response to market demands as determined by farmer board, to construct additional unit of 10,000 tons and operate to full capacity; and when the plants of 30,000 tons capacity have operated to full capacity for two years, company agrees, in response to market demand, to construct an additional 10,000-ton plant, making 40,000 tons, and will operate in manufacturing concentrated fertilizers.

The lessee agrees to use all power necessary to accomplish this purpose.

Plants are to be operated in the manufacture of fertilizer to meet market demands as determined by farmer board, except when fertilizers suitable for agricultural use containing 5,000 tons of nitrogen remain unsold in storage the obligation for further manufacture is suspended until stock is reduced below an amount of fertilizer containing 5,000 tons of nitrogen, but this suspension is only effective on approval of farmer board and Secretary of Agriculture, and until they approve there can be no suspension of production.

The lessee agrees to construct nitrogen plants producing in excess of 40,000 tons when in the judgment of company it is reasonably necessary to meet market demands.

SEC. 4. The fertilizer company has the preferred use of all power from the leased power plants of the Government for production of fertilizer, and all surplus power must be sold with such reservations as will allow its gradual withdrawal and application to fertilizer manufacture.

SEC. 5. The fertilizer company agrees to offer fertilizers for sale to farmers and associations of farmers and others; agrees to manufacture and sell at cost plus 8 per cent profit, cost to include all costs entering into operation and maintenance of leased premises, manufacture, sale, and distribution of fertilizer, including power at cost to power distributing company; 6 per cent on capital invested by fertilizer—less, however, the depreciation already allowed on plant investment—and 7½ per cent depreciation annually allowed on the plants erected by the fertilizer company. The 6 per cent on capital invested applies from year to year only on the balance of capital not amortized through the 7½ per cent annual depreciation allowed as part of the cost. Cost to be ascertained annually by auditors, and selling price based on cost of previous year.

SEC. 6. The Secretary of Agriculture appoints and removes farmer board of five members, composed of three representatives of farmer associations, engaged in farming, representative of the Department of Agriculture, and a nominee of the Fertilizer Co., to prescribe regulations for sale and distribution of fertilizer products; provide for audit of books of company; and to perform other duties as set forth in lease; board to have access to books and records of company, and company agrees to offer fertilizer for sale as board directs.

SEC. 7. Company agrees to operate and maintain nitrate plant No. 2 in its present state of readiness for manufacture of war materials, this obligation to cease when in the judgment of Congress other plants are erected having equivalent of nitrogen capacity and which render further maintenance of plant unnecessary. No change to be made in nitrate plant No. 2, except with approval of Secretary of War.

Material and supplies leased shall be shown by inventory. Surplus property may be sold in discretion of Secretary of War, proceeds to be paid to the United States.

SEC. 8. United States has right on five days' notice to take over leased premises, together with personnel whenever safety of United States demands; obligations of fertilizer company to be modified during such period.

SEC. 9. Power company to lease for 50 years Dam No. 2 and power plant and steam plant at nitrate plant No. 2; except locks and navigation facilities and the highway over the dam.

SEC. 10. Power company at its expense during the lease period shall make all necessary renewals and repairs for efficient maintenance of steam plant and Dam No. 2 and Dam No. 3, if constructed by United States under the terms of the lease, spillway gates, transformers, substations, machinery, and other equipment appurtenant to power houses, and agrees to maintain same in efficient operating condition as required of licensees under the Federal water power act, except repairs and maintenance of locks and navigation facilities and the highway over Dam No. 2 to be made at expense of United States.

Power company agrees, at its expense, to insure power plants to full insurable value.

On termination of lease, company to surrender leased properties in as good condition as when received, wear and tear, etc., excepted.

SEC. 11. In the interest of national defense, production of nitrates in time of war, and to provide power for production of fertilizer, power company will operate power plants in manner to secure the greatest

efficiency and maximum power output through interconnection with other power plants; to deliver to fertilizer company or to United States in the event power is required for national defense any such amount as desired up to the total output of the leased plants; all contracts between the power company and others for the sale of power from the leased plants to contain a proviso that power may be withdrawn on reasonable notice at any time during the lease period when needed for manufacture of fertilizer.

SEC. 12. Power company agrees to pay annually to United States for power leased \$600,000 for first 6 years; \$1,200,000 for the next 6 years; \$1,500,000 annually for the next 6 years; and \$2,000,000 per year for the remaining 32 years.

United States may under joint agreement of Secretary of War and Secretary of Agriculture reduce rentals 5 per cent in each year following any year in which company sells fertilizer to the capacity of nitrate plants which it agrees to construct and operate.

In addition to above payments, power company agrees to pay \$20 per horsepower-year for each additional horsepower of primary power in excess of present primary power generated at Dam No. 2 by headwater storage, not to exceed \$1,200,000 per year.

SEC. 13. If United States constructs Dam No. 3, power company agrees to lease same when construction complete and 80,000 horsepower installed, but United States under no obligation to construct dam.

SEC. 14. If United States constructs Dam No. 3, power company agrees to pay as rental 4 per cent on cost, not to exceed \$1,200,000 annually; except for first year rental will be \$500,000, for next two years \$750,000 annually, increasing thereafter to the maximum.

SEC. 15. In addition to the above payments for Dam No. 3, power company agrees to pay \$20 per horsepower-year for each additional horsepower of primary power in excess of that created at Dam No. 3 by headwater storage, not to exceed \$500,000 per year.

SEC. 16. United States has option of installing additional units at Dams Nos. 2 and 3 and steam plant, to be included under lease on which additional investment lessee agrees to pay 4 per cent on cost. If United States does not install additional units, etc., power company may do so at its expense and for each additional unit installed by company at Dam No. 2 it agrees to pay United States \$10,000 per year and for each additional unit installed by company at Dam No. 3, \$10,000 per year, with adjustment for capacity at latter dam should units there be of less capacity than those at Dam No. 2.

SEC. 17. Operation of power plants at Dams Nos. 2 and 3, so far as they affect navigation, to be at all times controlled by rules and regulations in the interest of navigation and power, including the control of the level of pool caused by dam, as may be made by Secretary of War.

Power company to furnish necessary power for operating locks and navigation facilities at Dams 2 and 3.

SEC. 18. At the end of lease period, additional power units and other additions made by company to be taken over by United States under recapture provision of Federal water power act.

At end of lease period all fertilizer plants and buildings and additions to buildings erected by the fertilizer company on lands of the United States to revert to the United States without compensation.

SEC. 19. Power company agrees that during period of lease officers and directors shall be citizens of the United States, and that it shall not be owned or controlled by persons not citizens of the United States.

SEC. 20. Whenever the safety of the United States demands, it may take over and operate power projects for such time as the President deems necessary.

SEC. 21. The fertilizer company to establish research and laboratory bureau in connection with fertilizer operations and employ improved methods and processes in its operations from time to time.

Fertilizer company agrees to take out patents and dedicate to public use all methods, processes, and patents it may develop in the production of nitrogen or other fertilizer ingredients or compounds without compensation to it.

SEC. 22. Power company to abide by regulation of rates, service, and security issues of State where service rendered or power transmitted. If no agency for regulation of same exists, then jurisdiction is conferred on Federal Power Commission until State agencies are provided with jurisdiction.

SEC. 23. Power company agrees when power enters into interstate or foreign commerce, rates, service, and security issues to be likewise subject to regulation.

SEC. 24. Power company and fertilizer company agree that leases shall contain provisions authorizing Attorney General, upon request of Secretary of War or Secretary of Agriculture, to institute proceedings for revoking leases for any act of commission or omission in violation of lease or any regulation or order promulgated thereunder.

SEC. 25. Whenever the farmer board and Secretary of Agriculture are of opinion that fertilizer company is in default in producing fertilizer, and in default are not remedied upon expiration of reasonable period, Attorney General is authorized to institute proceedings for remedying or correcting default; and if fertilizer company does not comply with decree within six months, power company shall, at option

of United States, as declared by Secretary of War, be held to have defaulted under its lease, so that for default in fertilizer lease both power and fertilizer leases may be terminated.

In event of termination of power company's lease for any default under its lease or under provisions of section 25, United States reimburses power company for its net investment on leased property not exceeding fair value of same; but on termination of fertilizer lease, then fertilizer company forfeits all investment in buildings, etc., to United States without compensation.

SEC. 26. Power company agrees in interest of public health to comply with rules and regulations of Alabama State Board of Health covering impounded waters.

SEC. 27. Housing facilities for operators of locks and navigation facilities excluded from lease and to be selected by Secretary of War.

SEC. 28. No assignment or transfer of lease or of leased premises to be made, except subject to such approval as Congress may by legislation provide.

#### MIGRATORY BIRD REFUGE

Mr. VAILE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5454) authorizing the establishment of a migratory bird refuge at Bear River Bay, Great Salt Lake, Utah.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

UNITED STATES VETERANS' BUREAU AND THE BUREAU OF PENSIONS  
Mr. MADDEN. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Illinois offers a resolution, which the Clerk will report.

The Clerk read as follows:

#### House Joint Resolution 379

Joint resolution making appropriations for the United States Veterans' Bureau and the Bureau of Pensions

*Resolved, etc.,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the United States Veterans' Bureau and the Bureau of Pensions, namely:

#### UNITED STATES VETERANS' BUREAU

Military and naval compensation: The unexpended balance of the appropriation "Military and naval compensation, Veterans' Bureau, 1926, and prior years," is hereby made available for the fiscal year 1927 and prior years, and, in addition thereto, unexpended balances of appropriations of the United States Veterans' Bureau are hereby reappropriated and made available under the appropriation "Military and naval compensation, Veterans' Bureau, fiscal year 1927 and prior years," as follows: Medical and hospital services, fiscal year 1925, \$9,000,000; and vocational rehabilitation, fiscal year 1925, \$26,000,000.

Veterans' loan act: To carry out the provisions of the act entitled "An act to authorize the Director of the United States Veterans' Bureau to make loans to veterans upon the security of adjusted-service certificates," approved March 3, 1927, there is hereby made available for the fiscal years 1927 and 1928 a sum not exceeding \$25,000,000 of the adjusted-service certificate fund.

#### DEPARTMENT OF THE INTERIOR

##### BUREAU OF PENSIONS

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, fiscal year 1927, \$37,200,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

The appropriation for Army and Navy pensions, contained in the Interior Department appropriation act for the fiscal year 1928, shall be available on and after the date of the approval of this joint resolution.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. MADDEN. Yes.

Mr. BLANTON. The President has just signed and sent to the House the Indian war pension bills. Does this resolution provide the money for the payment of those pensions?

Mr. MADDEN. Yes; it provides for all pensions.

Mr. BLANTON. Suppose the deficiency bill is gotten out of the jam in the Senate?

Mr. CRAMTON. The resolution makes available all pensions for 1928.

Mr. MADDEN. Yes.

Mr. KNUTSON. If the deficiency bill fails, the Pension Bureau could not pay pensions for May and June.

Mr. MADDEN. Mr. Speaker, yesterday at my request the House was kind enough to grant unanimous consent to the men



from the Appropriations Committee who might be appointed as conferees on the deficiency bill to ignore the rule that requires them to bring back any item for consideration in the House that might be subject to a point of order if introduced in the House. It is clear, as far as we can ascertain, that the Senate is not likely to pass the deficiency bill.

There are three items in the bill that are very important, but that does not mean that other items are not important. Those three items are \$37,200,000 for the payment of pensions to Civil War and other veterans, \$36,600,000 for the payment of compensation to World War veterans, and \$25,000,000 authorized for loans on the adjusted compensation certificates to war veterans. That makes \$99,000,000. It is important that the money shall become available for the payment of these obligations. This resolution which I have introduced also makes available the appropriations for 1928 for pensions, in order that funds may be available to pay the increases just ordered by Congress in widows' pensions.

To answer specifically the question put by the gentleman from Texas [Mr. BLANTON], the 1928 appropriations do cover the items which he calls attention to. So if the House passes this resolution, irrespective of whether the Senate passes the second deficiency bill or not, they certainly should concur in this or, failing to concur, give notice to the country that they are not in favor of paying the obligations to the men who fought to preserve the integrity of the flag. [Applause.]

Mr. BYRNS. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. BYRNS. I have had no opportunity to talk with the gentleman, and I want to make this inquiry. I noticed the statement, purporting to come from the Senator from New York, Mr. WADSWORTH, that if the bill failed to become a law it would mean that between now and July it would be necessary to decrease the Army by 30,000 soldiers, as I recollect now. If that is done, I take it that immediately after July 1 the War Department would begin to recruit the Army up to the present strength under the appropriations that go into effect on the 1st of July. If that procedure is adopted, it occurs to me that it will mean a great loss to the Treasury of the United States—much more than the amount necessary to pay the Army until July 1. I want to ask the gentleman if he has considered that and whether there is any probability of such a condition resulting?

Mr. MADDEN. I have not considered it; my only concern in the preparation of this resolution, for which I assume all the responsibility, was to see that the men who fought in the late war and in other wars were not required to wait for their pensions. [Applause.]

Mr. BYRNS. I think everybody in the House approves of the action of the gentleman from Illinois, and my only object in calling attention to it was that if Senator WADSWORTH is correct, I can see how the filibuster in the Senate and the failure of the deficiency bill to pass is going to cost the Treasury of the United States a large sum of money in this one item alone.

Mr. MADDEN. It will cost the Treasury of the United States a lot of money, and those who made it possible ought to assume the responsibility. [Applause.]

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Illinois.

The resolution was agreed to.

#### COMMITTEE TO NOTIFY THE PRESIDENT

Mr. TILSON. Mr. Speaker, I send to the Clerk's desk a resolution and ask for its immediate consideration.

The Clerk read as follows:

#### House Resolution 456

*Resolved*, That a committee of three Members be appointed by the Speaker to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER appointed as members of the committee on the part of the House Mr. TILSON, Mr. GREEN of Iowa, and Mr. GARRETT of Tennessee.

#### DEFINITION OF DEPAUPERIZE

Mr. RANKIN. Mr. Speaker, on yesterday the gentleman from Iowa [Mr. GREEN], chairman of the Ways and Means Committee, in referring to an expression used by me on the floor said:

I agree with the gentleman from Mississippi [Mr. RANKIN] that the Republican Party did "depauperize" the country.

The gentleman from Iowa seemed to be laboring under the delusion that the word "depauperize" as used by me had an entirely different meaning from that intended. The Standard Dictionary defines the word "depauperize" as meaning to make poor or to impoverish. The new International Dictionary in one of its definitions says that it means to depauperate, which is defined as impoverishing by starvation. Some Republicans have tried so hard to defend the misconduct of this administration for the last six years that they seem to reach the conclusion that to "depauperize" the people would be to enrich them, to "debase" would be to elevate, and to "defraud" would be to render a patriotic service.

The gentleman from Iowa may not understand the meaning of this language, but it will possibly bring a ray of hope to the distressed farmers of the country to learn that the news of their impoverished condition has at last reached Washington, and that the chairman of the great Committee on Ways and Means, even though unwittingly, has admitted on the floor of the House that it was brought about by the misconduct of this Republican administration. [Applause on the Democratic side.]

#### INSPECTION OF COLUMBIA BASIN

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 424, which I send to the desk and ask to have read.

The Clerk read as follows:

#### House Resolution 424

*Resolved*, That the Committee on Irrigation and Reclamation is authorized to make an inspection of the Columbia Basin project before Congress convenes December 5 next and that the expense attendant upon such investigation shall be paid from the contingent fund of the House of Representatives.

With the following committee amendments:

Line 4, after the word "the," insert "necessary traveling"; and strike out the word "expense" in the same line and insert the word "expenses."

The SPEAKER. Is there objection?

Mr. EDWARDS. Mr. Speaker, I object.

#### CONGESTION IN FEDERAL COURTS

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent for the reference of House Resolution 284, relating to relieving the Federal courts of the congestion of business, to the Judiciary Committee. The resolution has already been referred to the Committee on Rules.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOORE of Virginia. I also ask unanimous consent to extend my remarks on that resolution and in that connection print an article which I have prepared and which will appear in the February issue of the University of Virginia Law Review.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Mr. Speaker, under leave given to extend my remarks I wish to print the following article, which appears in the February, 1927, issue of the University of Virginia Law Review. The article, which was prepared in the midst of the exacting work of the session which now closes, is brief and may fairly be regarded as very casual and incomplete, and I would not ask consent to have it inserted in the RECORD except that the subject is of real importance and will, in all probability, receive consideration in the next Congress. I may say that the article, before being published, was submitted to very able, well-known men, who have given a great deal of thought to the possibility of something being done in the direction indicated.

The article is as follows:

#### RELIEVING THE UNITED STATES DISTRICT COURTS

A few months ago the author offered a resolution in the House of Representatives requesting the Committee on the Judiciary of that body to consider and report upon the expediency of legislation providing for the trial of certain offenses against the penal laws of the United States, otherwise than by the districts courts, which would mean that the prosecution would be without a presentment or indictment by a grand jury and the trial would be without a jury.

The suggestion was based upon several considerations of fact as to which there is no dispute. There has been a very great increase in the number of Federal statutes which impose penalties for their violation. A detailed statement of how numerous they are and over what a wide field they range would require all, and more than all, of the

entire space in the present issue of this publication.<sup>1</sup> The district courts, which commonly have exclusive jurisdiction of cases arising under such statutes, are now in many localities so burdened with work as to be unable to keep up with their dockets and give important civil cases the attention which they deserve. Unless partial jurisdiction is vested outside of these courts, the ceaseless multiplication of judges, which has of late been rapid, must go on indefinitely, since it has been found that the plan now in effect of sending judges into other districts than their own does not take care of the congestion and is not entirely satisfactory. On the latter point a very eminent lawyer, who is giving the subject a great deal of attention, says in a recent letter:

"The experience in New York has been that it not infrequently happens that lack of acquaintance of a visiting judge with local conditions is a great handicap in the trial of certain types of cases. It has happened in notable instances that the failure of the visitor to understand the point of view of the jurors has prevented the Government from securing the conviction to which it was entitled and almost surely would have obtained if the cases had been before a local judge. In addition, there are an unusual number of trials of several weeks' duration, each of which, because of the uncertainty of date of coming or of the duration of the stay of visiting judges, it was impracticable to bring on before an out-of-town judge. In the arrangement of assignments to different parts of the court it is difficult and often impracticable to employ local judges upon long trials and to leave the shorter cases to visiting judges."

These considerations would seem to point to the desirability of such legislation as the resolution suggests, if it is constitutionally admissible, and will not result in complications making conditions worse than they now are.

The constitutional provisions which must be regarded as follows: The provision of section 2, of article 3, that "The trial of all crimes, except in cases of impeachment, shall be by jury"; the provision of the fifth amendment that "No person should be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury"; and the provision of the sixth amendment, that "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury."

During many years, cases in the Supreme Court have asked what, within the meaning of the provisions quoted, is a "crime," what is an "infamous crime," and those questions the court has answered.

Taking the decisions, some of which will be cited as a whole, it may be fairly said that the terms used in the Constitution are to be defined in the light of the method of disposing of penal offenses which obtained in England and this country when the Constitution was adopted,<sup>2</sup> and that, with some exceptions, those offenses are not to be defined as "crimes" or "infamous crimes" where the punishment is limited to

a fine or to a fine and imprisonment in jail without hard labor.<sup>3</sup> If this is the correct interpretation, then the power rests with Congress to intrust the trial of persons charged with any of a large category of offenses to subordinate judicial officers, whether called commissioners or given some other designation, with authority to proceed without a jury and impose the same punishment which is now imposed by the district courts after trial by jury.

That Congress has already exercised such power is perhaps not commonly known. We have many national parks where, of course, it is no more possible to contravene the Constitution than in the outside areas of the States where they are located, and in some of the parks, under acts of Congress, statutes have been in effect a long time under which various offenses are tried without jury and punished by commissioners, the right of appeal to the district courts being reserved. The oldest of these statutes applies to the Yellowstone National Park. For more than a generation a commissioner resident in the park, appointed by the United States circuit (now district) court of the district in which it is located, has been actively engaged in the trial of persons charged with violating laws and regulations made pursuant to law for the government of the park, and in any case of a person being found guilty has determined the extent of the punishment, which may be by a fine running up to \$500 and imprisonment not exceeding six months. The validity of the statute conferring jurisdiction on the commissioner seems never to have been questioned. In passing it may be said that many Federal offenses are more heavily punishable, but at this moment attention is not drawn to the extent of the punishment, but to the principle which is recognized.

A layman reading the Constitution might assume that no distinction can properly be drawn between a crime that is serious in the ordinary acceptance of that word and one which is not serious, but the Supreme Court, in accordance with the views of the courts of the older States which have had to pass on the point now being discussed, has had no difficulty in holding that there is a fundamental distinction. While it is held that offenses deemed crimes or infamous crimes are within the Constitution, it is also held that petty common-law offenses and statutory offenses relating to subjects not dealt with by the common law, and the punishment of which does not involve hard labor, which itself attaches the character of infamy, are not within the Constitution. At least this seems to be a fair deduction from the cases, not all of which need be mentioned. Among them are *Ex parte Wilson*,<sup>4</sup> *Callan v. Wilson*,<sup>5</sup> and *United States v. Moreland*.<sup>6</sup>

In the first case the petitioner for a writ of habeas corpus had been proceeded against by information and sentenced to imprisonment for a term of years at hard labor, which the court said imported an infamous offense. In the second case the defendant had been convicted of conspiracy by the police court of the District of Columbia, then functioning without a jury, and sentenced to pay a fine, and in default of payment to be imprisoned in jail, and the court said that conspiracy had always been considered an infamous crime.<sup>7</sup>

<sup>1</sup> Recently the Department of Justice has compiled a very full and interesting memorandum enumerating all Federal penal offenses. It is appalling evidence of the extent to which the Federal Government is now penalizing a great variety of offenses not heretofore within the scope of the criminal law.

<sup>2</sup> Blackstone says: "A crime, or misdemeanor, is an act committed, or omitted, in violation of a public law, either forbidding or commanding it." (4 Bl. Comm. 4.) This general definition comprehends both crimes and misdemeanors, which properly speaking are mere synonymous terms; though in common usage "crimes" is made to denote such offenses as are of the deeper and more atrocious dye; while smaller faults and omissions of less consequence are comprised under the gentler name of "misdemeanors" only. The court commenting on this in the case of *Schick v. United States* (195 U. S. 65, 70 (1904)), said: "In the light of this definition, we can appreciate the action of the convention which framed the Constitution. In the draft of the instrument as reported by the committee of five, the language was 'trial of all criminal offenses' \* \* \* shall be by jury,' but by unanimous vote it was amended so as to read 'trial of all crimes.' The significance of this change can not be misunderstood. If the language had remained 'criminal offenses' it might have been contended that it meant all offenses of a criminal nature, petty as well as serious; but when the change was made from 'criminal offenses' to 'crimes' and made in the light of the popular understanding of the word 'crime' as stated by Blackstone, it is obvious that the intent was to exclude from the constitutional requirement of a jury the trial of petty criminal offenses."

In *Callan v. Wilson* (127 U. S. 540, 552 (1888)) it was said: "According to many adjudged cases, arising under constitutions which declare, generally, that the right of trial by jury shall remain inviolate, there are certain minor or petty offenses that may be proceeded against summarily, and without a jury; and, in respect to other offenses, the constitutional requirement is satisfied if the right to a trial by jury in an appellate court is accorded to the accused. *Byers v. Commonwealth* (42 Penn. St. 89, 94) affords an illustration of the first of the above classes. It was there held that while the founders of the Commonwealth of Pennsylvania brought with them to their new abode the right of trial by jury, and while that mode of trial was considered the right of every Englishman, too sacred to be surrendered or taken away, 'summary convictions for petty offenses against statutes were always sustained, and they were never supposed to be in conflict with the common-law right to a trial by jury.' So, in *State v. Glenn* (54 Md. 572, 600, 605) it was said that 'in England, notwithstanding the provision in the Magna Charta of King John, article 46, and in that of 9 Hen. 3, c. 29, which declares that no freeman shall be taken, imprisoned, or condemned, but by lawful judgment of his peers, or by the law of the land,' it has been the constant course of legislation in that kingdom, for centuries past, to confer summary jurisdiction upon justices of the peace for the trial and conviction of parties for minor and statutory police offenses. \* \* \* And when it is declared that the party is entitled to a speedy trial by an impartial jury, that must be

understood as referring to such crimes and accusations as have, by the regular course of the law and the established modes of procedure, as theretofore practiced, been the subjects of jury trial. It could never have been intended to embrace every species of accusation involving either criminal or penal consequences.' So, also, in New Jersey, where the constitution guaranteed that 'the right of trial by jury shall remain inviolate,' the court said: 'Extensive and summary police powers are constantly exercised in all the States of the Union for the repression of breaches of the peace and petty offenses, and these statutes are not supposed to conflict with the constitutional provisions securing to the citizen a trial by jury. \* \* \* This constitutional provision does not prevent the enforcement of the by-laws of a municipal corporation without a jury trial.' *McGear v. Woodruff* (4 Vroom. 213, 217). In *State v. Conlin* (27 Vt. 318, 323) the court sustains the right of the legislature to provide for the punishment of minor offenses, having reference to the internal police of the State, 'with fine only, or imprisonment in the county jail for a brief and limited period.' See, also, *Williams v. Augusta* (4 Ga. 509)."

<sup>3</sup> In *Barkinson v. United States* (121 U. S. 281 (1887)) it was held that an offense punishable by confinement in the penitentiary is necessarily to be regarded as a crime, an infamous crime. As held in *Mackin v. United States* (117 U. S. 348 (1886)), the conclusion as to whether the punishment of the offense determines whether it is within the Constitution depends not upon the punishment actually adjudged in the particular case but the maximum punishment fixed by the statute.

<sup>4</sup> 114 U. S. 417 (1885).

<sup>5</sup> *Supra*, note 2.

<sup>6</sup> 258 U. S. 433 (1922).

<sup>7</sup> In this case the statute under which the defendant was convicted of a conspiracy imposed a fine as the maximum punishment. If conspiracy had not been recognized as a crime in the technical sense prior to the adoption of the Constitution, the court would not have held the proceeding to be governed by the constitutional requirement. But the court found to be the contrary, saying, "The general rule of the common law, the Supreme Judicial Court of Massachusetts said in *Commonwealth v. Hunt* (4 Met. 111, 112), is that it is a criminal and indictable offense for two or more to confederate and combine together by concerted means to do that which is unlawful or criminal, to the injury of the public or portions or classes of the community, or even to the rights of an individual. In *State v. Burnham* (15 N. H. 396, 401) it was held that 'combinations against law or against individuals are always dangerous to the public peace and to public security. To guard against the union of individuals to effect an unlawful design is not easy, and to detect and punish them is often extremely difficult.' Hawkins, in discussing the nature of conspiracies as offenses against



In the Moreland case there was an extended and very interesting discussion of the subject in most of its aspects. The petitioner for a writ of habeas corpus had been charged in the juvenile court of the District of Columbia, without presentment or indictment, with violating a statute by willfully neglecting his children, and, being convicted by a jury, sentence was suspended, and he was ordered to make a monthly payment for the support of the children. Having failed to comply with the order, he was sentenced to be committed to the Occoquan Workhouse at hard labor for six months. The court seems to have recognized that except that the law under which the proceeding took place provided hard labor as an incident to the punishment which might be inflicted there would be no infringement of the Constitution, but the majority reached the conclusion that wherever the statute includes the possibility of such an incident, whether the sentence in a particular case goes that far or not, the requirements of the Constitution relative to the method of initiating the prosecution and trial by jury are applicable. There was a dissenting opinion by Mr. Justice Brandeis, concurred in by the Chief Justice and Mr. Justice Holmes, who contended that in looking at the situation antedating the Constitution confinement at hard labor or in a house of correction did not imply infamy; that, in fact, when the reform and rehabilitation of those convicted of serious crime became the chief aim of the penal system the dignity of labor was proclaimed, and "thus hard labor, which in inflicting punishment for serious crimes had first been introduced as a medium of disgrace, became a means of restoring and giving self-respect." And therefore they said:

"It is not the provision for hard labor but the imprisonment in a penitentiary which now renders a crime infamous."

The dissenting opinion referred to a theory propounded much earlier in the case of *Mackin v. United States*,<sup>8</sup> where it was said that the changes of public opinion from one age to another may affect the question as to what crimes shall be considered as infamous.

The body of the Federal penal statutes necessarily includes a great many offenses which may be punished by death or confinement in the penitentiary, and to these all the provisions of the Constitution apply. Furthermore, it includes some offenses which at common law were classed as infamous, and to these also, regardless of the nature of the punishment, the provisions seem to apply, in accordance with the decision in *Callan v. Wilson*.<sup>9</sup> But finally it includes a vast number of offenses which were not known or thought of before the Constitution was adopted or were not then deemed crimes in the strict sense. These are the creatures of statute and in the main of rather recent enactment, and are punishable in all cases by fine and imprisonment without hard labor. There are about 319 offenses of this class, and it is conceivable that the list of these offenses might be enlarged by eliminating the element of hard labor now incident to some of the statutory offenses. Accordingly, there are many offenses, we may say a multitude of offenses, which it is within the power of Congress to confide to the jurisdiction of subordinate judicial officials.

In order to present the objections which have been urged against any such arrangement as is being suggested I quote from a letter of an Assistant Attorney General:

"Though the effect of the proposal be to relieve the congestion of the Federal courts, and though that relief be extensive, I fear that the effect upon the potential violators of the Federal laws would be to bring these laws into greater disrepute than is now attributed to them. Disrobe the dignity of a trial in a Federal court—which still obtains in spite of assertions to the contrary—and the trial of such cases as shall be vested in the commissioners of the court will make for a general disrespect which should not be underestimated. Many charges are made that those who violate the law exert a more or less corrupt influence upon officials charged with the enforcement of the law. This I am sure is not true of the present Federal judiciary. One outstanding reason therefor is that the judiciary have behind them the restraining influence of tradition and the impregnable sense of responsibility that is as old as the Nation itself. The trial of causes based upon violations of the Federal law should always be imposed upon men who sense that responsibility and upon whom the public relies for the safeguards that now rest in the Federal judiciary. To open the door to United States commissioners may take us far afield."

But does this not ignore the experience of the past in England and the States where magistrates and justices have always had a very large jurisdiction in the trial and punishment of minor offenses? Is it to be thought at present, any more than in the past, that it is essential to the integrity of the administration of the criminal laws that the courts should be cluttered up with an enormous variety and number of cases such as in former days they would not have been expected to deal with? And is it not a confession of a lack of faith in our

public justice and referring especially to the statute of 21 Edw. I, relating to confederacies to procure the indictment of an innocent person, says that, "notwithstanding the injury intended to the party against whom such a confederacy is formed may perhaps be inconsiderable, yet the association to pervert the law in order to procure it seems to be a crime of a very high nature and justly to deserve the resentment of the law." (1 Hawk. P. C., c. 72, p. 3.)

<sup>8</sup> Supra, note 3.

<sup>9</sup> Supra, note 2.

ability to carry on to be controlled by a fear that subordinates appointed by the courts would be found less honest than the judges themselves?

Finally, if the objections noted must be seriously weighed, there seems to be a safe and reasonably easy method of meeting them by enabling any district court to determine what cases should be tried by its subordinate official. The legislation could be very flexible. It need not rigidly provide, as in respect to the Yellowstone National Park, that the prosecution shall necessarily be before court commissioners, but it could provide for the initiation of the prosecution in the courts and vest in the courts a discretion to assign to commissioners for trial such cases as the courts might deem properly assignable, reserving the other cases for trial in the first instance by the court.

The Federal judges have life tenure during good behavior. Their salaries and retirement compensation are very substantial. Subordinate officials hold for a definite period and are, of course, paid less substantially. Either a means of using such officials to relieve the courts must be found, or else the rapid rate of increasing the number of Federal judges will have to be accelerated until the number will be beyond any figure which a while ago could have been expected or imagined. As of January 1, 1927, the number of circuit and district judges is 161, as compared with 130 on January 1, 1917. The number of district judges was increased in the decade from 97 to 124, and it is not difficult to predict an even more rapid increase unless some measure of relief is effected.

R. WALTON MOORE.

HOUSE OF REPRESENTATIVES,

Washington, D. C.

#### THE OPERATIVE SIDE OF THE ELECTRICAL INDUSTRY

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a brief table on the electrical industry in this country.

The SPEAKER. Is there objection?

There was no objection.

Mr. EATON. Mr. Speaker, under leave granted me I hereby insert in the CONGRESSIONAL RECORD the following:

Senator WALSH of Montana a few days ago introduced into the RECORD a considerable amount of statistical material in respect to the electrical industry. His statement was largely directed to the creation of large holding companies in progress in that industry. The figures given, however, in respect to the operative side of the industry do not do justice to that industry. It is desirable, therefore, that the complete figures should be introduced instead of compilations from the New Republic.

In the table presented herewith are given the figures presented by Senator WALSH, but in italics are also given the figures which should be included in any such table if it fairly presents the condition of the electrical industry:

1. The comparisons given by Senator WALSH were based upon the year 1920, and therefore entirely ignore the fundamental basis of all fair comparison; that is, with the pre-war period. It is impossible to show the real effect of inflation or the real progress of the industry unless it be based upon pre-war comparisons and not upon a period of shifting purchasing power since the war. The census figures are fully available for 1912. The comparison on a pre-war basis shows at once that electrical power is being sold to the consumer to-day for actually less money per kilowatt-hour than in the pre-war period, despite the fact that the major expense of producing power—that is, coal and labor—have increased about 75 per cent and 100 per cent, respectively. Electric energy is practically the only commodity that is sold to-day at less than pre-war prices.

2. In the effort to prove that the power companies are charging more for power than in 1920, a series of calculations are introduced by Senator WALSH based on the "cost-of-living" index, which embraces food, clothing, rent, and so forth. The production of power is not based on this index but on the cost of materials and labor. The cost of labor especially has been steadily increasing ever since 1920, whereas the "cost-of-living" index has been decreasing and the use of the "cost-of-living" index gives an entirely false impression as to the situation and is a distortion introduced to obscure the real forces in motion.

3. The Senator's statement seems to ignore the fact that the rates for power throughout the United States are determined by the State public-utility commissions. The small increases in rates granted during the war period lagged much behind the actual advances in costs, but even these small increases were wiped out by decreases in rates since that period. Whereas railway rates are 50 to 60 per cent above pre-war, electric-power rates are to-day below pre-war. If we were to adopt the "cost-of-living" index as a basis for determination and compare "retail rates" (meaning household rates) of 1913 with

"retail rates" of 1926, it would show that the cost of electrical power has been effectively reduced by nearly 50 per cent since pre-war, due to the increased purchasing power of the dollar, for the retail rates have fallen from an average of 8.7 cents per kilowatt pre-war to 7.4 cents, or nearly 15 per cent, whereas the dollar has depreciated fully 30 per cent, which, when taken into account, shows a real decrease of nearly 50 per cent in the cost of electric energy to the retail consumer.

4. The whole of the computations given are based on the so-called retail lighting rate, which is the household rate. They do not take into account the real returns from all customers, which must include the deliveries to industrial and commercial purposes. The American companies, under the direction of the public-utility commissions, have built up their rate system upon the cost of distribution to various classes of customers. The household deliveries are the most expensive of all and are the only rates given in the tables. They do not represent the true situation. The only true criteria are the gross receipts divided by the total kilowatts delivered. If deductions were made from the gross income of the operating companies of the items of income from other than electrical consumers and for the payment of taxes, it will be seen that the gross income for 1912 was 2.11 cents per kilowatt-hour, and for 1926 was 2.10 cents per kilowatt-hour, even though labor and coal have nearly doubled in cost. These figures are far different from the 8.5 cents or 7.5 cents recouped in Senator WALSH's presentation as the current rates.

The distortion given to the actual facts in the Senator's presentation was further emphasized by comparing the gross income rate of the Ontario Hydroelectric Commission with the "retail" rate of the whole of American power companies. The gross rate of the Ontario Hydroelectric Commission was given at 1.85 cents. The return shown by that commission's 1925 report was 2.10 cents, the same as the American rate. That commission pays practically no taxes on its physical property

and its securities are relieved from taxation. Its water power is drawn largely from Niagara Falls, the cheapest water power on the continent, whereas the American average rate was 2.10 cents per kilowatt-hour, after deducting taxes, but not deducting the effect of taxes on securities.

The American average includes all that power developed by coal, and embraces thousands of small and disconnected plants throughout the United States. As a matter of fact the actual gross collections from consumers in the United States divided by the number of kilowatt-hours delivered show better performance than that of the Ontario Hydroelectric Co.

5. Other omissions from the material presented by Senator WALSH could be cited, which omissions do not deal fairly with the power industry. One of these omissions is the failure to sufficiently elaborate the fact that all United States power companies are under State or municipal regulatory commissions. These commissions determine the rates and their rates are determined upon the value of the plants and the current basis for rate determination is between 7 per cent and 8 per cent on these valuations.

If the American power companies are unfair, it is the fault of the people themselves through the State commissions. As a matter of fact the gross interest and dividend distributed during 1926 was probably not over 6 per cent on the actual values of the operating properties.

An industry whose skill and technical perfection during the period of 14 years, from 1912 to 1926, is such that it is able to sell a commodity at less than pre-war prices, despite the increase in material and labor by 75 to 100 per cent, is entitled at least to a fair representation as to the actual facts. The castles of promotion which have been built up by the holding companies and the character of finance that resulted therefrom is a matter entirely apart from the efficiency and treatment of the public by the actual operating industry itself.

Essential facts about the power industry, 1920-1926, with additions to include 1912, 1913, and 1926

	1912	1920	1921	1922	1923	1924	1925	1926	
<b>General development:</b>									
1. Production, kilowatt-hours.....	11,569	39,518	36,970	43,559	51,132	54,413	59,517	68,732	
2. Production relative to 1920.....	29	100	93.6	110.2	129.3	138.3	150.6	174	
3. Per cent of potential water power developed.....		22.8			26.1		28.8		
4. Per cent of water power developed to total power developed.....					37.4	36.1	36.2		
5. Per cent of total population living in electric-lighted dwellings.....		35.1	37.5	38.9	44.7	50.7	54.4		
6. Amount of coal per kilowatt-hour.....		3.2					2.1		
7. Length of transmission lines.....					86,290	94,880	102,270	112,800	
<b>Financial and operating:</b>									
8. Capitalization end of year.....	\$2,290	\$4,400	\$4,800	\$5,200	\$5,800	\$6,600	\$7,500	\$8,400	
9. Gross revenues.....	\$302.5	\$882.7	\$994.4	\$1,072.1	\$1,269.5	\$1,354	\$1,470	\$1,684	
9a. Deduct:									
(1) Revenue from other sources than customers, millions.....	\$46.1			\$126.7				\$113	
(2) Taxes, millions.....	\$13.1			\$73.8				\$126	
Total.....	\$59.2			\$200.5				\$239	
9b. Revenue from consumers of electricity, less taxes, millions.....	\$243.1			\$871.6				\$1,445	
9c. Revenue from consumers of electricity less taxes per kilowatt-hour produced.....	2.11			2.00				2.10	
10. Gross revenues relative to 1920.....	34	100	112.6	121.4	143.8	153.4	166.5	191	
11. Operating ratio, July peak.....		65.9	56.2	56.1	53.2	56.1	52.1		
12. Operating ratio relative to 1920.....		100	85.3	85.2	80.7	85.2	79.1		
13. Retail lighting rates.....	8.7	8.0	7.9	7.8	7.7	7.6	7.5	7.4	
14. Retail rates relative to 1920.....	109	100	98.75	97.5	96.25	95	93.75	92.5	
14a. Retail lighting rates relative to 1913.....	100	92	91	90	88	87	86	85	
15. Purchasing power of the dollar relative to 1920.....	208	100	125.3	131.7	126.4	126.4	121.2	119	This is based upon the "Cost-of-living" index.
16. Retail lighting rates at 1920 purchasing power.....	18.1	8.0	9.89	10.27	9.73	9.6	9.1	8.8	
16a. Retail lighting rates at 1913 purchasing power ("cost-of-living" index).....	8.7	3.9	4.8	4.9	4.7	4.6	4.4	4.2	
17. Per cent increase in retail lighting rates at 1920 purchasing power.....		100	123.6	128.3	121.6	120	113.8	108	This is per cent of 1920.
17a. Decrease under 1913 in retail lighting rates at 1913 retail purchasing power.....		55	45	44	46	47	49	52	
18. Average increase over 1920 in purchasing power of retail lighting rates for 5 years (1921-1925).....							21.4		
18a. Average decrease under 1913 in purchasing power of retail lighting rates for 7 years (1920-1926).....								48	

All base figures (lines 1, 3, 4, 5, 6, 7, 8, 9, 11, 13) from the Electrical World, Jan. 2, 1926. Except those added to the table presented by Senator Walsh. Added figures from Reports of Bureau of the Census, Bureau of Labor Statistics, and Electrical World, Jan. 1, 1927.

The electrical industry constitutes the keystone in the arch of our vast and complex industrial structure. Perhaps more than any other single factor this industry has advanced the prosperity, comfort, and material well-being of our people.

It is, therefore, of vital importance that public opinion with regard to this form of public service should be founded upon knowledge of the facts. In the service rendered by operating

electric companies the American people get more and better social and economic value for their money than from any other material service.

#### PRESIDENT'S VETO—FARM LEGISLATION

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by including therein an



article on farm legislation, and a statement made by W. H. Settle, president of the Indiana Farm Bureau Federation of Indiana.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANFIELD. Mr. Speaker, under the leave granted me I wish to submit the following:

The presidential veto of the surplus control bill passed by this Congress to aid agriculture has caused great disappointment throughout all agricultural sections of the country. The demand for this legislation has been growing for the past four years, and when the majority of Congress had voted to give agriculture a chance to again be put in position to enjoy at least a fair consideration for their labor it is too bad that the President of the United States could not, in his wisdom, see his way clear to help agriculture by signing the surplus control bill instead of aiding the enemies of agriculture by vetoing it.

In the State of Indiana the farm organizations have worked hard for this legislation. The Farm Bureau Federation have been making a continuous fight for it for years, and I wish to submit a statement made by Mr. W. H. Settle, president Indiana Farm Bureau Federation, on the vetoing of the McNary-Haugen bill:

STATEMENT OF W. H. SETTLE, OF INDIANAPOLIS, IND., PRESIDENT INDIANA FARM BUREAU FEDERATION

Vetoing of the McNary-Haugen bill by President Coolidge is the greatest blow dealt to American agriculture during my lifetime.

I respect the high office of President of the United States, but I can not subscribe to the doctrine of presidential infallibility. It is, therefore, entirely proper to point out that the President's veto message is a weak evasion of the issue presented in the McNary-Haugen bill; that it contains numerous misrepresentations of fact; that it denies agriculture privileges which the President himself has led in extending to other branches of industry; and that it contains not even a hint for a constructive solution for the farm problem. Meanwhile that problem is more pressing than ever, for the President's veto is more disastrous to farmers' morale than another year of depression on account of his action.

First, it should be observed that there is not a single new idea in the message. Every argument, every objection, every excuse which the President raises has been heard in Congress nearly every week for four years past. So thoroughly have they been refuted that Congress, once 2-to-1 against the McNary-Haugen plan, is now favorable to it by a wide margin. Not only have the Members of Congress weighed these arguments and found them wanting but so also have the thinking citizens of the United States, and as a result the bill is now supported by a large majority of the people who have given the subject any thought. It is true that the supporters of the bill were in the minority no longer ago than early in 1926, but their numbers have increased tremendously in the face of the very arguments which the President now uses.

At least three-fourths of the President's message is devoted to denouncing provisions which the McNary-Haugen bill does not contain and to arguing against things which it does not provide. Among the straw men set up and annihilated by the President in his veto message are, to mention only a few, Government price fixing on farm products, guaranteeing profits to packers and millers, destruction of cooperative associations, and difficulty of collecting the equalization fee. He devotes many long paragraphs in pointing out the fallacy of Government price fixing, but in no place does he show how and where price fixing is provided under the McNary-Haugen bill. As a matter of fact, no plan for fixing prices by the Government or by anyone else is provided directly or indirectly under this bill, as anyone who has read it can easily determine for himself. This bogey has long since been exploded. As for guaranteeing profits to millers, that is nothing more or less than a simple misrepresentation of facts, for there is not only no provision for direct or indirect guaranty of profits to millers, but there would be little or no probability of any dealing with millers by the agency created under the McNary-Haugen bill. He also devotes the most of a newspaper column to worrying over the difficulty of collecting the equalization fee, the expense of collection, etc., this part of the message evidently having been written by Secretary Mellon. I see no reason why it should be any more difficult to collect the equalization fee on farm products than it is to collect the gasoline tax, for example—and so on all through his list of straw men.

There are strange contradictions in the President's message. At one point he denounces the McNary-Haugen bill because it will not increase the price of farm products, and at another point he sheds a tear for the increased price it will cause the consumer to pay for food. Anyone with an elementary knowledge of economics knows that if it will not increase the price of farm products it can not increase the price of food to the consumer, and also that if it does increase the price of food it will result in higher prices to farmers for their products. These arguments are conflicting and contradictory and are but characteristic of the illogical character of the message.

That the McNary-Haugen bill would increase the price of food to the consumer has been the pet theory and favorite worry of Secretary Mellon, and is echoed here and there in the message. This is very likely true, at least to a limited degree. If that is a valid argument against the bill, it is also equally valid as a reason why the protective tariff should be abandoned. Here we have the strange spectacle of President Coolidge and Secretary Mellon, the leading exponents in the world of protective tariffs, denouncing a measure because it would do exactly for food producers what the tariff does for manufacturers. If their argument is sound as against the McNary-Haugen bill, it is just as sound as against the tariff; if the tariff is good for the country, so would be the McNary-Haugen bill. There is an exact parallel here which they can not avoid. It is the rankest hypocrisy for them to continue their advocacy of protective tariffs while opposing the same principle for farm products.

The President lays much stress upon the alleged unconstitutionality of the bill, and depends upon an opinion to that effect by Attorney General Sargent. This is no new argument against new legislation; in fact, it has been raised against every important bill before Congress for the past 100 years. It was raised against the Federal reserve act, the Federal farm loan act, the Adamson law, the transportation act, to mention only a few recent instances. To say that a new measure is unconstitutional is merely the refuge which has sheltered many a distressed politician. Neither the President nor the Attorney General has the right under the Constitution to determine the constitutionality of anything—the Supreme Court of the United States is the only body with jurisdiction. For the President to say that the bill is unconstitutional is, therefore, an unwarranted assumption of power which settles nothing, for that question can not be settled and will not be settled until carried to the Supreme Court. When that question was raised in Congress, which contains some of the ablest constitutional lawyers in America, the most severe critics were silenced by the masterful arguments of the late Albert B. Cummins, of Iowa.

The President inquires also why, if the bill is good for the producers of cotton, wheat, corn, pork, rice, and tobacco, it should not also be good for all farmers, and he asks why it should not also include the producers of beef cattle, sheep, dairy products, poultry, potatoes, hay, fruit, vegetables, oats, barley, rye, flax, and other agricultural products. This question illustrates his lack of information with reference to the farm situation. Practically none of the products he names are produced in sufficient quantities to make a surplus; in fact, America imports large quantities of some of these products. Producers of these commodities are mostly in better shape than are the producers of the more important basic crops named in the bill, and there is little or no need of providing for exporting surpluses which do not exist. It is perhaps not so astonishing that this question should be raised by the President when we remember that the only time he has ever been west of Pittsburgh was when he traveled on a special train, and that his knowledge of agriculture was obtained chiefly in Vermont, where 10 acres is a large field. I feel sorry for Mr. Coolidge for his lack of opportunity to know anything about the industry of farming, and for the Nation which is obliged to suffer on account of that ignorance on his part.

The President also disapproves because farmers are not unanimous in supporting the bill. It is true that they are not unanimous, but at least 80 per cent favor it, as determined by the organizations supporting it and by polls over the country. It is demonstrated clearly that a large majority favor the measure. Almost never in the history of our country have we had unanimous support of a new measure. Bankers were hopelessly divided over the Federal reserve act—for example, perhaps a majority opposing—yet that did not deter President Wilson from establishing that great measure. The President's history books will tell him that the people of the Colonies were in bitter controversy over the adoption of the Federal Constitution, and that New York ratified by a majority of 3 and Virginia by a majority of 10, while his native State of Vermont refused to ratify at all until after the Union had been in existence two years. The lack of unanimity in the present case is no guide to be used by a statesman to chart his course.

Finally, the President refers to previous recommendations which he has made to Congress on the farm question, and says he will be glad to approve a bill embodying those suggestions. The only measure openly championed by him was the Fess-Tincher bill of 1926, the chief feature of which provided for Government loans to cooperative associations. If any one thing has been demonstrated clearly the past seven years, it is that farmers do not need new facilities for getting in debt—what they need is the opportunity to pay off their present crushing burden of debt. Yet the President continues to urge that farmers be loaned more money. As a matter of fact, it is common knowledge that the Fess-Tincher bill grew out of a scheme concocted to sell the decrepit properties of several grain companies at several times their value to the farmers through a notorious promotion known as the Grain Marketing Co., and that this plan was put forth by Secretaries Hoover and Jardine in their wild desperation to prevent the enactment of the McNary-Haugen bill. Overwhelmingly rejected by Congress and with the true character of the measure generally

understood, the renewal of this proposal now by the President can not be construed as anything but an affront to the intelligence of American farmers.

The President is being praised for his courage in vetoing the bill by its opponents. As a matter of fact, this veto demonstrates his weakness instead of his strength. His public acts have largely been determined by Mellon, Hoover, Barnes, and Stearns, who typify the privileged classes of the East which have waxed fat because of legislative favors secured for their industries. Now, in the great crisis of the farm industry, in its most critical hour when the President has the greatest opportunity of service in a generation, he demonstrates his weakness by his failure to recognize the situation and by following the selfish, blind leadership of the East.

This is not the end of the fight for economic justice for American agriculture. No great question has ever been settled permanently in our country until it was settled right. The economic affairs of our country can not be indefinitely dominated by one small section, nor will the people permit one group of provincial minds to direct national destinies to the detriment of the great majority. A prosperous agriculture is the foundation for the prosperity of many other industries, and upon that condition more people depend than upon any other condition of affairs. Farmers, therefore, are far from being alone in demanding economic justice for agriculture. The people of the West and the South are rapidly approaching unanimity on this question, because of economic pressure, and they will not tolerate a condition which fixes the Potomac and the Alleghenies as the western and southern border of the region to receive national favor. The people have never failed to correct wrongs of this kind. I am confident that there will be no exception to this rule in 1928.

Mr. Speaker, statements like the one made by Mr. Settle are being made everywhere.

In 1924 both the Democratic and Republican platforms included provisions for substantial farm legislation. The Republican Party was successful in that election and should have seen that this party pledge was fulfilled, although this is the last day of the Sixty-ninth Congress and the pledge has not been fulfilled.

Mr. Speaker, I must say that while this veto will bring disaster to many and hardship to all in the agricultural sections there is nothing that can be done to help it at the present time. However, there is something that can be done in the future, for it is an assured fact that if the future Congress will see that tariff is reduced and transportation charges on farm products reduced the purchasing power of the farmers' dollar will be increased and in that way he will again be placed on a par with other industries.

Let us hope that the farmers of the country will see that the Republican representatives who represent agricultural districts join hands with Democrats on this side of the House in the next Congress to see that the present tariff law is repealed and a fair tariff law enacted; also see that freight rates on farm products are reduced so that the farmers may secure the equality they justly deserve.

If the farmer can not be put in position to get a better price for what he has to sell, the prices of the things he has to buy must be reduced and this can be done by adjusting tariff and freight rates.

#### REASONS FOR AN INVESTIGATION OF AMERICA'S CONCESSIONS ABROAD

Mr. KVALE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, by printing a brief article on reasons for investigation of Americans' concessions abroad by the Peoples' Reconstruction League.

Mr. SPEAKER. Is there objection?

There was no objection.

Mr. KVALE. Mr. Speaker, under leave to extend my remarks I include a statement prepared by the Peoples' Reconstruction League, Washington, D. C., relative to American concessions abroad.

The United States is entangled by the tentacles of economic and financial imperialism in nearly every important undeveloped country of the world, and will inevitably come into financial conflict with the major European nations in many of these countries over conflicting concessions.

An official record of the conditions under which Americans secured concessions in these countries is essential to upholding the integrity and protecting the rights of citizens of the United States and of the Government of the United States.

The Monroe doctrine can not be invoked as an alibi for corruption or even unbridled cupidity. The investments of Americans in South America are approximately as valuable as those they hold in Mexico.

#### ARGENTINA

Mr. Robert Dunn, in his book *American Foreign Investments*, quotes the Department of Commerce as estimating that American holdings in

Argentina in 1920 were \$117,000,000 in Government bonds, \$17,500,000 in municipal bonds, and that the industrial investment is at least \$100,000,000; of the total, there is approximately \$250,000,000 American concession and industrial interests in Argentina, including meat-packing and oil interests.

#### BOLIVIA

The Department of Commerce estimates that American interests have about \$30,000,000 in Government bonds in Bolivia, and asserts that probably to-day "the United States has as large an interest as any other country." These interests include oil, with representatives of the Standard Oil Co. of New Jersey and the Sinclair Co., and the National Lead Co. controlling about 80 per cent of the tin production of Bolivia, which country produces about one-fourth of the world's output of tin.

#### BRAZIL

Moody's book, *Governments and Municipalities*, estimates that in 1925 American capital invested in Brazil amounted to over \$300,000,000. Among the concessions are those of the United States Steel Corporation, which has extensive interests in the manganese mines of Brazil, and meat packing.

#### CHILE

American investments in Chile totaled in 1924 over \$400,000,000. Six American companies had in 1920 over \$119,000,000 in copper, iron, and nitrate mines, and the Anaconda Copper Co. acquired a controlling interest of the Chile Copper Co. in 1923, and its mine is the largest single copper-producing mine in the world. The du Ponts are the principal owners of the Chile Explosive Co.

#### COLOMBIA

American investments in Colombia in 1924 were over \$80,000,000. The Colombia Syndicate holds leases on 1,000,000 acres of petroleum-oil lands and this is controlled by the Tide Water Oil Co., while the Standard Oil Co. has some 600,000 acres. The Henry L. Daugherty & Co. interests control the Colombian Petroleum Co.; the Central American Petroleum Co. controls 4,000,000 acres in Colombia and Honduras.

#### ECUADOR

American investments in Ecuador are estimated at \$30,000,000, and the American Fuel Oil & Transportation Co. have leases on about 1,800,000 acres of petroleum lands, while the Standard Oil Co. of Colombia is also interested.

#### GUIANAS

The estimated amount of American capital in Guiana is over \$5,000,000. The Aluminum Co. of America owns 100 per cent of the stock of the Demarara Bauxite Co. (Ltd.), in British Guiana.

#### PARAGUAY

American investments in Paraguay are about \$20,000,000.

#### PERU

The Department of Commerce estimates that American investments in Peru are about \$100,000,000. The greatest American interests in Peru are copper mining, but the Standard Oil Co. of New Jersey controls petroleum lands of over 1,000,000 acres in this country through the International Petroleum Co., which controls 70 per cent of the Peruvian petroleum output. The Analyst reported that petroleum resources of Peru are under the control of the United States interests.

#### URUGUAY

Investments of United States capital in Uruguay are about \$40,000,000, including packing interests, petroleum, and cement companies.

#### VENEZUELA

American interests in Venezuela are estimated by the Department of Commerce at \$75,000,000, in 1924, of which about one-half is invested in oil alone. The Sinclair Explosive Co., the Standard Oil Co. of New Jersey, and a dozen or 15 other American oil companies are interested in Venezuelan resources in oil, while American capital has also explored the coal and manganese deposits of that country.

#### TRINIDAD

The General Asphalt Co. has a concession from the Columbia Co. to exploit the asphalt near Lake Trinidad and operates a refining plant with a capacity of 450 tons of refined asphalt daily.

#### RUSSIA

The amount of American capital invested in Russia prior to the revolution was about \$59,000,000, which has been expropriated by the Soviet Government. W. A. Harriman & Co., of New York, holds a concessions covering the rich manganese fields in the Georgian Soviet Republic. American banking interests are also participating to the extent of 50 per cent in the British Lena Gold & Silver Corporation, which has secured a concession on a million and a half acres of gold, silver, copper, zinc, and lead bearing fields of Siberia. Americans are actively seeking additional concessions in Russia.

#### THE DUTCH EAST INDIES AND MALAY PENINSULA

The General Rubber Co., buying agent for the United States Rubber Co., controls properties located in Sumatra and on the Malay Peninsula.



of a total of 111,145 acres, probably the largest rubber estates in the world. Other American companies interested in India include the International Banking Corporation, Kidder, Peabody & Co., and the Standard Oil Co. Americans interested in manufactures are confined chiefly to jute and shellac industries.

#### MESOPOTAMIA

Americans are interested in the oil of the Kingdom of Iraq (under British mandate from the League of Nations) through the Turkish Petroleum Co., which has secured a 75-year concession to exploit petroleum deposits in 90,000 out of the 143,000 square miles in the country.

#### TURKEY

The estimates of American investments in Turkey run from \$10,000,000 to \$15,000,000, while the properties in the Chester concessions in Asia Minor, which have apparently temporarily lapsed, were valued at considerably over \$100,000,000, and by some as high as \$500,000,000.

#### AFRICA

American interests in Africa are chiefly through European companies and largely confined to investments in oil, tobacco, and minerals. These include the interests of Sinclair, the Consolidated Oil Corporation, owning half the Companhia de Petroleo de Angola, which holds permanent oil rights in Portuguese East Africa to about 70,000 square miles; the Anglo-American Oil Co. (the Standard Oil), which owns a concession to exploit the oil possibilities of Abyssinia; the Guggenheim Bros.' interest in the Consolidated Diamond Mines of Southwest Africa; and the concessions of 1,000,000 acres granted by the Liberian Government to the Firestone Plantation Co. The J. G. White Engineering Co., which was also active in Nicaragua, is to handle part of the construction work of the Firestone Plantation Co.

#### THE STANDARD OIL AND MEXICO

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a short article on the relations with Mexico and a letter from Mr. Sperry.

The SPEAKER. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, under leave to extend my remarks I include a statement by the People's Reconstruction League upon the connection of the Standard Oil Co. with our present disturbed relations with Mexico.

The statement is as follows:

The Standard Oil interests are heavily interested in oil in Mexico. They purchased from the Doheny interests oil resources in Mexico much now held in escrow, with a valuation of about \$140,000,000, which is about one-third of the value of all oil holdings of Americans in Mexico. It is charged that the titles of the oil lands which Doheny sold to the Standard Oil interests are not valid, and that therefore the Standard Oil interests are not back of the concerted, well-financed, and contemptible effort to get the United States to fight Mexico directly, as it is now fighting Mexico indirectly, in its fight with Nicaragua—waging war with that country without a declaration of war. Naturally, the Standard Oil interests do not appear in the open; they seldom do. They controlled the Department of State completely for many years, while Mr. Charles Evans Hughes, attorney for the Standard Oil interests, was Secretary of State. The United States foreign policy as to oil and as to many other matters was entirely dictated by the Secretary of State, Mr. Hughes, acting in his capacity as attorney for the Standard Oil interests. Is there any reason to doubt that the Standard Oil interests are now equally anxious to have such internal difficulties in Mexico, or to have such a degree of control by the United States over Mexico, that the Standard Oil may make secure its titles to the oil resources which they secured from Doheny in Mexico?

It is reported that the Standard Oil had paid the Doheny interests only about \$15,000,000 out of an agreed price of \$140,000,000; therefore the Standard Oil has much at stake in Mexico.

The United States Geological Survey estimated recently that the petroleum reserves of southeast Russia, southwest Siberia, and the region of the Caucasus amount to 5,830,000,000 barrels, while those of northern Russia and Sakhalin are estimated at 925,000,000 barrels; and it also credits Persia, Turkey, and Mosul with 5,820,000,000 barrels, while the Federal Oil Conservation Board appointed by President Coolidge estimates the available reserves in the United States at 5,500,000 barrels. Although the United States exports some oil, it imports considerably more than 1,000,000,000 gallons a year over its exports.

The June, 1925, bulletin of the National City Bank of New York, an institution controlled by the Standard Oil interests, stated, "There is no question, however, that in the future the world supply of crude oil must be obtained, in larger part, from countries other than the United States." Mexico has large supplies of oil. It is true that the Standard Oil Cos. have, on the surface, complied with the petroleum and land laws of Mexico in the provisions of the 1917 constitution

relating thereto. It is equally true that the Standard Oil interests would be advantaged by not having to pay the scores of millions of dollars which it owes by contract with the Doheny interests for the purchase of the latter's oil holdings in Mexico.

The Federal Oil Conservation Board which included four members of the Cabinet, estimated that the oil resources of the United States would be exhausted in four or five years, and urged that efforts be made immediately by the United States to secure additional sources of oil. It is probable, however, that with a reasonable degree of conservation the oil resources of the United States would last from 17 to 18 years.

Sir Edward Mackay, director of the banking house of Sperling & Co., estimates that within 10 years at most the United States will be importing 500,000,000 barrels of oil, at an annual payment of at least \$1,000,000,000, most of which he claims will find its way into British pockets.

The record of the Standard Oil interests justifies the conclusion that they are in fact backing the movement for war with Mexico. The Genoa conference of 1922, was the first attempt of the big oil trusts, acting with the backing of their Governments to establish themselves in the Caucasus by peaceful means. Mr. A. C. Bedford, chairman of the board of directors of the Standard Oil, on April 12, two days after the opening of the Genoa conference, said, "We feel that there should be no attempt at the Genoa Conference, or through private agreement among various nations, to exploit the resources of Russia; but that it should be understood that a fair and equal economic opportunity should be preserved for all concerned."

The Standard Oil Co., two years earlier, in 1920, had made a deal with the Nobel Co. under which both of them were equal partners in the Nobel Russian Oil properties; and so the Genoa conference was really a battle field between the Standard Oil and the Royal Dutch Shell. As Mr. Louis Fischer states in his book, *Oil Imperialism*, discussing the way in which Mr. Richard Washburn Child, representing the United States Government unofficially, played the game of the Standard Oil Co.: "Similarly it was Mr. Hughes, not the Standard Oil, who demanded the denationalization of properties appropriated by the Russian Government. But the Secretary of State could have been holding a brief only for the petroleum company, whose legal adviser he was before he entered the State Department and after he left it. For the property of American organizations other than the Standard Oil was never nationalized."

The United States had very little interests in Russia except those of the oil companies—that is, the Standard Oil—but the United States was represented by an unofficial observer at The Hague conference. Up to that time the Standard Oil Co. was absolutely opposed to recognition of the Soviet Government, and their agent in the Department of State, Mr. Hughes, entirely agreed with them, which made the policy of the State Department conform to the policy of the Standard Oil Co., itself. In January, 1926, however, when it was apparent that the Russian Government was going to grant concessions, the Standard Oil officials forsook their righteous indignation over the "confiscations" which they claimed the Soviets had practiced, and decided that they should get hold of all the oil they could in Russia. Mr. Charles Evans Hughes, who had been abusing his position of Secretary of State to denounce the Soviet Government for expropriating property holdings in Russia, suddenly became apologist for Russia. Mr. Ivy L. Lee, the "adviser on public relations" of the Standard Oil Co., following the policy of the Standard Oil Co. to make its morals as well as those of the State Department conform to its financial interests, wrote Mr. Elihu Root on March 3, 1926, as follows:

"It would seem that the policy of drift with reference to Russia was getting us nowhere, and that the problem after all was a very practical one which had to be settled after consideration of all the practical questions involved, with a view to bringing about as permanent results the promotion of the peace, security, and financial stability of the world. \* \* \* I would never want this country to recognize Russia if you yourself, after examining all the facts, should deem it unwise. What I would like to see, however, is a condition brought about under which you and men like you would think it wise to accord such recognition."

Mr. Lee wrote to an executive of the New York Chamber of Commerce as follows:

"Some day Russia has got to come back into the family of nations, and we ought to try to help her get back rather than to force a great nation like Russia to come back on her knees and in sackcloth and ashes. That isn't practical. Furthermore, the United States can not indefinitely assume an attitude toward Russia different from that of all the other great nations. In addition, the trade of Russia is of great importance to this country."

The Standard Oil interests were beginning to feel the competition of Harry F. Sinclair early in 1926 also. Mr. Ivy L. Lee retorted to those who urged support of the State Department under Mr. Kellogg in his anti-Russian recognition policy as follows: "The State Department may be wrong! But, right or wrong, I do not believe that the policy of the State Department should be indorsed merely because it is the

policy of the State Department. Nor do I think that we should assume that the State Department has inside information which justifies its policy. It may or may not have."

The Standard Oil Co. kept out of the limelight while it was running the State Department, but it was operating just as completely and effectively. Is there any reason to doubt that the Standard Oil interests are now using the same marvelous lack of conscience in backing the sinister effort behind the attempt to get the United States into a war with Mexico? It may mean scores of millions of unearned dollars of profit for the Standard Oil interests.

The Standard Oil interests successfully combated the efforts of the Japanese to secure the petroleum resources of northern Sakhalin. On May 21, 1921, Mr. Charles Evans Hughes, Standard Oil attorney and Secretary of State, wrote to the Government of Japan that the "United States could neither now nor hereafter recognize as valid any claims and titles arising out of the present occupation and control" of northern Sakhalin.

The Standard Oil determined the policy of the United States with reference to the strangulation of Persia. On November 17, 1920, Mr. W. C. Teagle, president of the Standard Oil Co., said to the American Petroleum Institute at its Washington meeting with respect to the British efforts to secure the oil resources of Persia:

"Our British friends, in endeavoring to explain the position their Government has taken since the armistice, have argued that if the United States is now supplying 70 per cent of the world's (oil) production, we should be content with things as they are. This is an entirely fallacious view.

"Is it reasonable to ask that Americans go heedlessly on to quick exhaustion of their own supply and then retire from the oil business? The American petroleum industry can not accept such a conclusion. It must look to the development of petroleum outside the United States."

In 1921 the Standard Oil had been granted the northern Persian concession by the Persian cabinet. Great Britain has been charged with the strangulation of Persia, but it is equally the Standard Oil Co. of America with its deep religious proclivities which has succeeded in burning the independence of Persia in oil. Harry F. Sinclair was getting the inside track in Persia when in 1924 the story of his alleged \$100,000 bribe to Secretary of Interior Fall became known in America. The Teapot Dome scandal intervened and it is no secret that the Standard Oil interests really brought about the exposure of the Teapot Dome and other naval oil reserves deals. Doheny and Sinclair were disgraced and made the subject of prosecution by the United States Government. The Standard Oil interests which over a period of nearly half a century have committed with impunity murder, arson, larceny, treason, and bribery, and all the major crimes, have emerged with sanctified mien. E. L. Doheny can not fight them in Mexico. The Doheny-Sinclair interests thought they controlled the Department of Justice. They were exposed. The Standard Oil interests were powerful enough to control the Department of State, sanctified by the holy Baptist, Charles Evans Hughes, and they got him to commit treason. No one but a child, or an employee of the Standard Oil interests, can doubt that they are playing their own sinister and highly profitable game in Mexico. Fearing the competition of Sinclair and Doheny independent oil companies, whose record, criminal as it is, has never been one-tenth as wicked as the Standard Oil interests, the Standard Oil interests secured the exposure of Sinclair and Doheny. If Secretary Kellogg has changed the policy of Secretary Hughes with reference to the Standard Oil interests it is the first thing to his credit; and it is highly doubtful.

STATEMENT BY MARVIN GATES SPERRY, PRESIDENT PRIVATE SOLDIERS AND SAILORS' LEGION

Mr. HUDDLESTON. Under leave to extend my remarks, I include a statement made by Marvin Gates Sperry, president of the Private Soldiers and Sailors' Legion, concerning the oppressive and illegal action to which he was recently subjected in Los Angeles.

The statement is as follows:

WASHINGTON, D. C., March 3, 1927.

HON. GEORGE HUDDLESTON,  
Member of Congress, Washington, D. C.

DEAR CONGRESSMAN: On February 8 there was inserted in the CONGRESSIONAL RECORD some highly slanderous matter concerning me, consisting of two newspaper articles and a statement signed by a Major Scudder, of the Veterans' Bureau. These articles and statement purport to give the facts concerning my unlawful arrest in Los Angeles last fall. To characterize them as false but mildly expresses it. They literally reek with falsehood and libel.

The truth about the matter is that, due to the efforts of certain members of the American Legion in Los Angeles (chief among whom was a certain Major Fitzmaurice), I was unlawfully arrested and thrown into jail, where I was held incommunicado for nearly four days, without a charge of any kind having been preferred against me. In the meantime, my office was broken into, my keys, books, and papers seized, my stenographer turned out of office, and the door locked. And all this without a search warrant or any kind of legal authority.

Finally, after I had been in jail for almost four days, two charges were placed against me, neither having any foundation in fact. The first was dismissed, accompanied by a reprimand from the court to the officer preferring the charge, and I was released on the other after I took the stand and gave the court the facts.

Here was I—a disabled veteran of the World War, with an honorable service record, consisting of over 16 months overseas' service, 13 of which were in the battle line; the national president of a private soldiers' and sailors' organization, who had devoted eight years of his life to its upbuilding—ruthlessly hurled into jail, without rime or reason, by the strong-arm methods of a Prussianized police force, inspired by the jealousy and hate of a rival organization. That such a thing might happen in Turkey or Mexico, or in Russia under the régime of the Czar, would not be difficult to imagine; but that such an outrage could be perpetrated within the confines of a great American city and in one of the 48 States composing the greatest Republic on earth is almost unthinkable, especially when it is remembered that the Bill of Rights is still a part of the American Constitution.

For your information and the information of others not conversant with the facts, I will say that the Private Soldiers and Sailors' Legion, of which I am president, was organized in Washington, D. C., in January, 1919. I was one of the founders of the organization, was elected its first president, and have continued to be elected ever since by referendum vote. My term of office expires March 18, 1928. No national officer receives any salary whatsoever, but the sum of \$90 per month was voted to the national president for incidental expenses.

I have devoted my entire time during the past eight years to the organization and have not only not profited financially by the office I hold, but have actually contributed almost the whole of my own funds to keep the organization going. My sole object at all times has been to build up an organization that would truly represent the great body of private soldiers; and to this end I have devoted every ounce of my energy, my entire time, and what money I had.

Knowing the great interest you have at all times taken in the welfare of the private soldier, I feel confident that you will accede to the request I am going to make, namely, that this letter be placed in the RECORD as a reply to the slanderous articles referred to herein.

Respectfully yours,  
MARVIN GATES SPERRY,  
President Private Soldiers and Sailors' Legion.

COMMENTS IN RHYME

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein an article on the veto of the McNary-Haugen bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. McKEOWN. Mr. Speaker, under leave to extend my remarks I hereby submit the following rhyme written by the Hon. Thomas P. Holt, of Ada, Okla., on the veto of the McNary-Haugen bill:

M'NARY-HAUGEN BILL

The papers of the land last week  
Their columns all did fill  
With news the President had killed  
McNary-Haugen bill.  
He said the bill was quite unsound  
And lacked e-con-o-mee  
And 'twas a scheme to fix the price  
Of farm commodities.  
He meant 'twould make the workers of  
The North and effete East  
Pay more for meat and bread and lard  
Than heretofore, at least.  
And Coolidge knows the North and East,  
But does not know the West,  
And thought it might lose him some votes  
To put it to a test.

Aye! Had it been some bill to raise  
A tariff on some food  
Raised only in the East and North,  
This bill would have been good.  
Ye farmers of the West and South!  
How long will ye lie still?  
Rise altogether and fight for  
This farmers' relief bill!

You raise the cotton, oats, and corn,  
And wheat and other grain,  
And stop not work by day or night,  
Nor sleet nor snow nor rain.  
'Tis time you got fair prices for  
Your crops, at any rate;  
So just keep cool and trim your guns  
For nineteen twenty-eight.

—Thopoho.



## THE COAL SITUATION

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to incorporate therein an editorial appearing in the Wheeling (W. Va.) Daily News under the date of Friday, February 27, relating to the coal situation.

The SPEAKER. Is there objection?

There was no objection.

Mr. BACHMANN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

No threatened industrial tie-up in the history of the Nation ever has met with the public indifference evident in the impending coal strike in the central competitive field.

The plain fact is that from a national standpoint it doesn't make much difference whether these mines suspend or not.

Statistics of the United States Bureau of Mines show that approximately two-thirds of the bituminous coal produced east of the Mississippi River in 1926 came from nonunion mines. And these mines didn't work at anything like capacity either. Furthermore, the country had on January 1 over 55,000,000 tons of soft coal in storage. This surplus has increased at the rate of two and a half million tons a week. By April 1, it is estimated, the reserve supply of mined coal will be fully 80,000,000 tons.

The coal industry is overproduced. There are too many miners, too many mines. With all of them producing at even a moderate rate, a very large part of their product could not be used. That is the basic trouble with the industry. Strikes, lock-outs, wage scales, agreements, or absence of them will never solve the coal problem. As long as there are too many mines and too many miners there will be idleness and irregular employment in some coal field, whether the result of strike or operation of the inexorable law of supply and demand.

## McNARY-HAUGEN BILL

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a short editorial on farm relief.

The SPEAKER. Is there objection?

There was no objection.

Mr. JONES. Mr. Speaker, in accordance with unanimous consent granted for such purpose I submit herewith an editorial which recently appeared in the Dallas News, published at Dallas, Tex., in reference to the so-called McNary-Haugen farm-relief measure:

## THE McNARY-HAUGEN BILL AS A CONFESSION

Even if Mr. Coolidge were to sign the McNary-Haugen bill the troubles of that measure will by no means be over. It will remain to be determined whether it is constitutional, first, as against the contention that it passes in a form which makes it a taxation proposal originating in the Senate, and second, as against the contention that the sales fee is an unwarranted interference of the Federal Government with the right of a citizen to sell or give away his product as he chooses. But, however much or little the bill may amount to in the direction of its avowed purposes, one thing is certain: The McNary-Haugen bill is a confession of the inability of protection to protect the farmer.

The confession is found running as a thread through the discussion of the proposal in Congress. Republicans and Democrats alike see it. There is no concealment about the farm discontent with the attitude of tariff-baron representatives who want to keep special privilege for the factory and want at the same time to deny it to the farm. As one Representative expresses it, the farmer buys in a tariff-protected market and sells in a world-dictated market. And he loses both ways.

McNary-Haugen economics will either work or not work. If they work, they will do so by raising the costs of farm products to city dwellers and workers who use them. That is to say, the cost of living will go up. That will call for higher wages which the tariff-protected manufacturers will be asked to pay, and that will leave them a smaller margin of tariff-born profit. And that is a threat which they see. But consider the dire consequences of the other horn of the dilemma. If it doesn't work, the farmer is going to turn on the protective tariff and knock it into a cocked hat. And that, of course, would be truly terrible.

It is a hard situation. But the hardness of it comes from the very simple fact that tariff is a tax which somebody pays. And the man who pays is the man who pays for the tariff-laden article. There is no way to get around that. The farmer has been trying for generations to get around it. And he hasn't managed it yet. He can't be blamed for wanting privilege to even up the privilege which other people get at the expense of his pocket. And he will get it or overthrow the whole privilege structure.

If the McNary-Haugen bill be the product of muddled economic thinking, it is so akin to protection that no protectionist can gainsay it. If it is right to take wealth from the consumer to give it to the manufacturer, it is just as nearly right to take wealth from the con-

sumer and give it to the farmer. Indeed, the country is likely in time to be grateful to the McNary-Haugen bill, because it has unmasked this whole business of privilege. What you put into one pocket you must take from another. Call it robbery, call it privilege, call it price fixing, tariff, or what you will, in the eyes of economics it is much the same. And the farmer has found out about it now.

## EXTENSION OF REMARKS

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a speech delivered by Senator REED of Missouri at Indianapolis.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, I object.

## PRICES OF WHEAT AND BREAD

Mr. DICKINSON of Iowa. Mr. Speaker, under the general rule for extension of remarks, under date of March 4, I present the following data on the message vetoing the McNary-Haugen bill:

After examining the foregoing statement by the executive committee of 22 it occurs to me that more emphasis might have been placed upon two points, namely, the effect upon consumers and sectionalism.

The President said in his veto message that the McNary-Haugen bill "seeks merely to increase the prices paid by consumers." On that point I submit the following statement on prices of wheat and bread:

## PRICES OF WHEAT AND BREAD

On page 764 of the Department of Agriculture Yearbook for 1925, Table 28 sets forth the estimated price per bushel of wheat received by producers in the United States each month. On page 775, Table 41 gives the monthly average retail price of bread per pound in the city of New York.

On August 15, 1923, the average farm price for wheat in the United States was 86.4 cents per bushel—the lowest price paid in 1922, 1923, 1924, or 1925. On that same day the average price of bread at retail in New York City was 9.6 cents per pound. Eighteen months later wheat sold on February 15, 1925, at an average farm price to the producer of \$1.698—practically \$1.70 per bushel. This was almost double the price of wheat on August 15, 1923—86.4 cents. Yet on the same day—February 15, 1925—the price of bread at retail in New York City averaged 9.6 cents per pound, or exactly the same as before.

On page 127 of the Yearbook of the Department of Agriculture for 1923 is a significant chart showing the share which the wheat grower received out of the retail price of a pound loaf of bread in 1913 and in 1923. In 1913 the wheat grower received 21.41 per cent of the consumer's price. In 1923 the wheat grower received only 16.37 per cent. The toll of the retailer for merely selling the loaf of bread amounted to nearly 50 per cent more than the wheat grower received for the wheat that went into the bread. The grower of wheat got 16.37 per cent and the retailer of the bread 22.22 per cent.

Further answering the President's contention in his veto message concerning the effect of farm prices on consumers' prices, I submit the following article which appeared in the March 2, 1927, issue of Commerce and Finance:

## WHO BENEFITED BY THE [COTTON] GROWERS' FLIGHT

By Bernard Gelles

The editor of Commerce and Finance requested me to elaborate upon a recently made statement that retail dry goods prices are not noticeably cheaper than a year ago. Well, the fact of the matter is, they are not. Anyone who wishes to be convinced should visit our large department stores and examine the prices of dress gingham, lingerie crêpe, chiffon, voiles, satinettes, staple gingham, percales, madras shirtings, etc. One will find that present retail prices of these materials are only a few cents cheaper per yard than a year ago, whereas raw cotton declined 9 cents per pound during the same period of time.

Out of 1 pound of American cotton almost 6 yards of staple gingham can be produced; the same ratio applies to voiles, whereas the ratio of 1:4 should be figures on percales and crêpes. It is also interesting to note that 1 pound of Egyptian cotton can be woven into—

Four yards of sheeting; or  
Four yards of bleached muslin; or  
Seven yards of calico; or  
Six yards of gingham; or  
Ten yards of lawn; or  
Twenty-five handkerchiefs; or  
Fifty-six reels of No. 40 sewing thread.  
Such are the utilities of cotton!

Perhaps it would be informative to list some items in detail and to compare their present retail prices with those of one year ago. Also to measure the decline in prices of these materials in cents per pound of cotton and to contrast them with the actual decline in raw cotton.

	Retail price to-day, each	Retail price one year ago, each	Change	Decline in raw cotton per pound
Men's cotton shirts, quality A	\$1.65	\$1.65	None	Cents 9
Men's cotton shirts, quality B	2.95	2.95	do.	9
Men's cotton shirts, quality C	5.50	5.50	do.	9
Men's collars, quality A, dozen	1.50	1.50	do.	9
Men's collars, quality B, do.	2.00	2.00	do.	9

	Retail price to-day, per yard	Retail price one year ago, per yard	Decline expressed in cents per pound of cotton	Decline in raw cotton industry premium for longer staple
Dress gingham	Cents 25	Cents 35	2 1/2	10
Lingerie crepe	28	38	2 3/4	12
Chiffon voiles	25	38	2 3/4	12
Staple gingham	12 1/2	15	1 1/2	9
Percales	29	35	1 3/4	10

These are only a few concrete examples to prove that the public at large—the actual consumers of our cotton goods—have not benefited to any appreciable extent by the growers' plight.

While investigating this question we asked a department-store buyer whether a cut in retail prices would help to increase the consumption of cotton goods. "Would not the public be inclined to purchase more liberally if they were given the full benefit of the decline in cotton?" queried the writer. The buyer looked up whimsically and responded:

"The public wants style, color, beauty; it will pay the price if you give it the design; a few cents per yard won't matter if the quality is right; what the public wants is talent and inspiration in cotton goods."

#### NUMBER OF FARMS PRODUCING SIX BASIC COMMODITIES

With reference to the assertion in the veto message that the bill is sectional and "for certain groups of farmers in certain sections," I present the following statement showing the number of farms in the United States and the number on which the six basic commodities named in the bill are produced. The figures are for the year 1919 and are taken from vol. 5, Agricultural Reports, Fourteenth Census, the latest available:

Number of farms on which wheat is produced	2, 225, 134
Number of farms on which corn is produced	4, 936, 692
Number of farms on which rice is produced	20, 310
Number of farms on which cotton is produced	1, 905, 863
Number of farms on which tobacco is produced	448, 572
Number of farms on which hogs are produced	4, 850, 807
Total number of farms in the United States	6, 448, 343

#### THE AWAKENING ORIENT

Mr. GABALDON. Mr. Speaker, on every occasion upon which I have addressed the Congress in the now seven years that I have had the honor to represent my people in this body, I have declared that immediate, absolute, and complete independence is the desire of the great majority of the 12,000,000 inhabitants of the islands. Nothing less than this as a permanent form of government will be satisfactory to the Filipino people. I have just returned from the islands, and I now again report to you that such is the present prevailing sentiment of the overwhelming majority of the people. The best evidence of this is that not a single candidate for any elective office in the Philippines dare go before the voters and declare that in the event of his election he will favor some compromise type of government that is less than real and genuine independence. If one should do so the candidate who would promise to accept nothing less than immediate, absolute, and complete independence would surely defeat him.

The Filipino people wish a republic fully as independent as those of the South American and other republics of the world, and nothing less than that will be finally satisfying.

#### IRELAND A SAD EXAMPLE OF SURRENDER

An illustration of the unhappiness of a people whose leaders accept compromise and surrender the independence aspirations of a nation may be seen in the case of Ireland. Certain Irish leaders made a compromise "settlement" with England in 1921, accepting an "Irish Free State" under Great Britain, one of the provisions of which requires an oath of allegiance to the King. What has been the result? Civil war followed. There has been in Ireland from the very moment of the signing of the treaty the most intense bitterness between the two factions in Ireland that, respectively, favor and oppose the compromise.

Every official of the Irish Free State who has visited the United States since the signing of the compromise agreement has been met at the docks in New York by great crowds of Irishmen and Irish-Americans and been made the target of rotten eggs and threatened with physical violence. Only cordons of police have protected them from the latter. Even after taking up their abode in New York hotels the sponsors of the "Free State" have found it necessary to sneak out by side doors under police protection to avoid assault by crowds of infuriated Irishmen, who maintained constant vigil at the main hotel entrances carrying cards bearing such slogans as "Shame on the traitors."

An entirely different picture was presented recently with the arrival in New York of Eamon de Valera, first and only president of the short-lived Irish Republic. The Washington (D. C.) Star gives the following account of his reception:

[By the Associated Press]

NEW YORK, March 5.—Eamon De Valera, Irish Republican leader, arrived to-day on the liner *President Roosevelt* and was wildly acclaimed by thousands of admirers. Many of them, men and women, broke through the police line to kiss him.

Coming to defend Irish Republican funds totalling \$2,500,000 tied up in litigation, De Valera is making his first visit to the United States in six and one-half years. The enthusiastic welcome extended from the Battery to City Hall, where he was received by Mayor Walker.

"Things have changed for both of us a little bit," Mayor Walker said. "I am proud that another native New Yorker \* \* \* has made his place among the statesmen of the world. The whole world esteems men who have ideals and who are loyal and everlastingly true to them."

De Valera stated in reply that he noted that the love for liberty had not been diminished in this country during his absence.

"I am glad to know that you understand our cause, and it is this understanding that will be a great aid to my people at home in helping them achieve the goal which they seek," he said. "You have the same love for liberty here, and no matter how things have changed, your warmth of reception and cordiality is still the same."

Mr. De Valera was further quoted by the New York Times as stating that 280,000 young Irish men and women had emigrated from Ireland since the signing of the compromise agreement, and predicted that the Irish Free State Government would not survive.

"It is not based on the real will of the Irish people, does not accord with their national aspirations, and does not satisfy their economic needs," he said. "The policy of monetary deflation adopted by England has been a main factor in bringing about the present situation. The situation could be readily remedied by a free Irish government concentrated on making Ireland a self-contained, self-sufficing, economic unit."

"I believe that the Irish people within a very short period, perhaps even at the next elections, which will be held in June, will change the whole situation by voting the Republicans or Nationalists, as we now call ourselves, a majority representation in the Dail."

"If we have a majority, we will enter the Dail and legislate on the fundamental rights of people to govern themselves. At present we have 43 Republicans out of 153 members of the Dail. These have not taken their seats, however, because they are met at the door with the oath of allegiance to the King. The English pretend we have freedom. Why, then, the oath?"

#### LIKE ALL OTHER RACES, FILIPINOS PREFER SELF-GOVERNMENT

Allow me to repeat what I have said so frequently to our American friends throughout my public career: Because the Filipino people aspire to independence is not an indication that they do not appreciate and admire the altruism and greatness of the masses of the American people themselves. They believe that if the average American could decide the question he would be friendly to their aspirations. In wishing independence Filipinos are simply living up to human nature. They prefer to be governed by themselves than to be governed by any other race. This is but history repeating itself and nothing more nor less. In all history there has never been a people that would in their heart of hearts prefer to be governed by those of another race than by themselves.

For Filipinos to abdicate now from the ideal of complete independence when the Orient is on the crest of intense nationalism—Java and Sumatra agitating the overthrow of foreign control, India pulsating with a desire for the right to stand by herself, and China fighting against alien interference—would be the blackest stain on the escutcheon of the Filipino people.

#### AMAZING RISE OF THE NEW CHINA

Those who overlook the importance of the present nationalistic movement in China are nearsighted in their view and understanding of the present-day world movement. For my



part, I contend that Filipinos are at least as proud and patriotic as the Chinese. Prof. Josef Washington Hall, for seven years an editor in China and once chief of foreign affairs for Marshal Wu Pei-fu, recently published in American newspapers an article over his own signature on the subject of the revolt of the new Orient against white supremacy throughout Asia, stating:

In the last eight months I have traveled 20,000 miles in Asia, visiting all countries from Siberia to Turkey and investigating the growing revolt of the Eastern Hemisphere against the white man's domination. I made this study after 10 years of intimate contact with developments in China, Japan, and Asiatic Russia.

All through Asia I heard it said, "The white man's day of reckoning has come." Beneath my eyes I have seen in China the rise of a new nation, a China which has the making of the mightiest nation of the world. This China in the last four months has assumed the leadership of Asia against white domination, mobilizing her vast natural resources, industry, high intelligence, and huge population for this end.

By radio we learned of the seizure of two British ships at Wanhhsien, on the upper Yangtze. The British captain said "If we don't take the most drastic means of retribution over this it means the end of the British Empire has begun." I was heading for the Yangtze Valley when that drastic action was taken. Wanhhsien was bombarded and some hundreds of Chinese citizens were killed.

This was intended to put "the Chinese back in their place," as the British expressed it, and was expected to restore British prestige. Instead it united all the warring factions in China against the British and in a campaign to end foreign domination in China.

The cry of the new movement is "China for the Chinese"—"abolition of properties which tend to make the white man regard himself as a superior being in Asia"—"unification of China" and economic development of China with Chinese capital.

Guglielmo Ferrero, the foremost historian of Europe, was quoted in a dispatch from Florence, Italy, as stating:

To understand somewhat the tempestuous Chinese chaos it must be borne in mind the Chinese revolution has two aspects, because two different forces—one external, the other internal—are in action together. It is seeking to restore the independence of the empire, curtailed in the nineteenth century by foreign occupations and impositions, and at the same time to create a new government that shall take the place of the monarchy that fell in 1912.

The external effort—that for independence—is the easier of the two. The whole world is by now persuaded that the system of extraterritoriality, of economic and juridic privileges, of concessions and occupations, with which the great European powers and Japan and America had bound the Chinese giant no longer holds.

The giant was able to free himself with little difficulty, for the old chains fell off of themselves, worn out and rusted, and no power wished or could fabricate new ones. Nor would it be easy, now that the giant is no longer asleep, like he was a century ago, but awake and angry.

By a peculiar significance there appeared on the same day the above interviews were printed in a rival chain of American newspapers (the Hearst newspapers) the following interview with Wilhelm, former Kaiser of Germany:

DOORN, HOLLAND, February, 1927.

Awakening Asia is an actuality that no statesman of to-day can possibly ignore. Twenty years ago I warned Europe of Asia's constantly augmenting struggle for freedom from western capitalistic supremacy. This war of emancipation, which I then observed in its incipient stages, has so developed until at present it is one of the most important factors in world politics.

When I gave my warning, Russia was listed among the European peoples. Now she has joined forces with the Asiatics, giving them a unity of purpose and action which they never previously possessed.

There is an Asiatic consciousness which at first glance appears to be as diversified as the spectrum, but in reality is a perfect unit. I agree with Haushofer when he says, "Asia is a whole. This must not be forgotten when dealing with Asiatics, whether they be in Moscow or Singapore, Tokyo or Teheran, Angora or Kospoli, Peking or Delhi."

The inherent racial strength and race consciousness of the Asiatics are well-nigh indestructible. The utmost self-reliance manifests itself in those proud words of Yuan Shi Kai's, "China is an ocean which salts all rivers that pour into it." And what is true of China also applies to the rest of the Asiatic continent with its almost magical emanations.

Europe swells with pride as it boasts of having brought the blessings of her civilization to Asia. Is not this mere cant? Is it not perhaps the curse of civilization which Europe has foisted upon Asia? Think of the misery and suffering wrought by the opium habit, which the western nations sponsored for financial gain!

Since the World War the Asiatics look upon European civilization with disgust. Within the realm of spirituality and intellect, manners, customs, morals, art, religion, which we Germans term "kultur," in contrast to the European purely mechanistic development, the Asiatics

have always preserved their independence. We must not forget that certain trends of thought of which we Europeans are proud had been evolved in Asia long before we ever acquired them.

Extended research in the history of religion has taught us what immense influence the spiritual life of Asia exerted on Christian philosophy and dogma. To my mind, Europe has every reason to conduct itself modestly when faced with Asia's spiritual riches.

The problem of pan-Asia now faces the world. Every nation, whether it would or not, must sooner or later take a stand concerning this question. I am convinced that only the full recognition of Asiatic self-determination will permit the straightening out of differences between Europe and Asia without an appeal to arms.

It is plain that the entire Orient is losing faith in the white races. There is no other act that the United States could take which would to so great an extent renew the confidence of the Orient in this Nation as the granting of Philippine independence.

#### SOME GENERALLY FORGOTTEN AMERICAN HISTORY

I contend that the vast majority of the Filipino people desire immediate, absolute, and complete independence. But even if there are some not so inclined, why should that constitute a valid argument against the United States carrying out its promise to grant us independence? Every country that is independent at one time had its quota of Tories. Every South American Republic had them, and every Republic on earth had them. Yet there is not a Republic on earth to-day that would be willing to surrender its independence, now that it possesses it, to accept government from its previous foreign sovereign.

I recently read in an American newspaper an alleged statement of Henry Ford that "all history is bunk." I do not know whether he made the declaration or not. Nor do I agree with him in toto. But I do believe that the American histories used in American and Philippine schools as textbooks are not quite fair to the Filipinos or to the true history of the Philippine-American war. And I do believe that the American history studied by American school children to-day is not wholly complete as regards America's own campaign for independence.

As a matter of fact, the independence party in the United States previous to the beginning of actual hostilities with England was for years and years the minority party. Only "radicals" and "agitators" at first favored independence. The "well-to-do" and the "best citizens" opposed independence until it became physically unsafe for them to allow their views to be made known. Yet who are they to-day who believe that the United States would have ever become the great Nation that it is if it had not won its independence?

The American patriot who cast the deciding vote for the unanimity of the Colonies for the Declaration of Independence was John Morton. Although his name is apparently little known among the generation of Americans of to-day there stands over his grave in an old cemetery in the city of Chester, Pa., a marble shaft on which his deeds are fully set forth. The monument is about 25 feet in height and is surrounded by an iron picket fence. The shaft bears the following historic inscription:

JOHN MORTON

Being censured by some of his friends for his boldness in giving the casting vote for the Declaration of Independence, his prophetic spirit dictated from his deathbed the following message to them:

"Tell them that they will live to see the hour when they shall acknowledge it to have been the most glorious service that I have ever rendered to my country."

In voting by States upon the question of the independence of the American Colonies there was a tie until the vote of Pennsylvania was given, two Members from which voted in the affirmative and two in the negative. The tie continued until the vote of the last Member. John Morton decided the promulgation of the glorious diploma of American freedom.

In 1775, while speaker of the Assembly of Pennsylvania, John Morton was reelected a Member of Congress, and in the ever-memorable session of July, 1776, he attended that august body for the last time, enshrining his name in the grateful remembrance of the American people by signing the Declaration of Independence.

John Morton was a Member of the First American Congress from the State of Pennsylvania, assembled in New York in 1783, and of the next Congress, assembled in Philadelphia in 1774, and various other public stations. Born A. D. 1724. Died April, 1777.

Since it would appear evident from the foregoing that the American forefathers were far from being 100 per cent for independence, why should our critics be so exacting of us in this regard?

#### ALLOW THE MASSES TO SPEAK FOR THEMSELVES

The Philippine Legislature, however, has officially accepted the challenge of the opponents of independence who assert that the

Filipino people do not really desire independence by three times passing a bill providing for a national plebiscite on the question. Governor General Wood vetoed the bill, which was soon afterwards repassed by our legislature over his veto. This action shows beyond question which side of the Philippine controversy is willing for the masses of the people to speak for themselves and which side fears their verdict.

This independence plebiscite bill is now before President Coolidge. If he signs it, the Filipino people, including the Moros and other non-Christians, will be allowed the opportunity to register their sentiments. If this opportunity is denied them, the opponents of independence should not again have the audacity to contend that a majority of the voters of the Philippines are opposed to independence.

#### AMERICA'S PROMISE HAS NOT BEEN FULFILLED

Mr. Speaker, I desire to be understood as speaking without rancor, without bitterness, and without more impatience than an intolerable situation justly demands of men that profess to be sincere.

But the time has come to speak plainly about the relations between the United States and the Philippine Islands. Almost 11 years ago the people of the United States, through their representatives in Congress, entered into a compact with the people of the Philippines as to the future status of the islands. Let me remind you of the terms of that contract. It reads:

Whereas it was never the intention of the people of the United States in the incipency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and

Whereas it is, as it always has been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

Whereas for the speedy accomplishment of such purpose it is desirable—

And so forth.

And then follows the provisions for the immediate creation of that stable government which alone is declared to be the one and only condition of immediate and complete independence—as soon as a stable government can be established therein.

The stable government provided for in this act was established at once. It has continued to function from that time to this. It is as stable as any other average government, and more stable than some.

For almost 11 years the one condition exacted by this covenant has been loyally fulfilled and for almost 11 years the United States has failed to act.

Various writers have been sent to the Philippine Islands and have produced a rich produce of misrepresentations to show that the United States has a duty higher than its covenant—that the duty of correcting evils in our government is greater than the obligations of a treaty.

Most of the evils thus adduced exist only in the imagination of the propagandists that have emitted them. But if they were true I should still stand here to remind you of your word. When you contracted with the people of the Philippines for their liberty you said nothing about what these pen valets might call fitness for self-government. Not a word was said about the percentage of literacy. No condition was made about the kind of clothing the inhabitants should wear. It was not stipulated that all the American investors in the islands should be satisfied to let the islands go. You made just one condition. That condition has been fulfilled for nearly 11 years. I come before you to ask you what you are going to do about it, and to tell you plainly that, justifiedly or not, there is a growing belief in the Philippines that America does not intend to ever give us independence. I will be the last to be convinced of this. For 10 years I have believed that independence was very, very near at hand. I had hoped to see my country free before I die. I had hoped to leave freedom as a heritage to my son.

If any man says to me that this denial of justice is the will of the American people, I deny it. An alien to your land and its customs, I will still defend it against a libel so vile. I know perfectly well that if this question were submitted to the vote of the masses of America they would be overwhelmingly in favor of keeping faith, overwhelmingly against the permanent subjugation of the Philippines. No one can convince me that the majority of the American people have repudiated the significance of their own history or are ready to occupy in 1927 the position England held against their forefathers in 1776.

#### WE CAN AND WOULD LIKE TO GOVERN OURSELVES

I must say to you plainly, but in no unkind spirit, that we believe we can manage our own affairs. The records of this world are full of the failures of the men of one clime, environ-

ment, tradition, and psychology to dominate the lives of men of a totally different clime, environment, background, and psychology. All such attempts have ended in but two ways: In the annihilation of the subjugated people or the destruction of the empire that sought to subjugate them.

The other day you celebrated the birthday of George Washington, the great man that did so much to found your Republic. The world has enshrined him forever among its heroes because he bore through a long and troubled life an unsullied probity and a spotless character. I wonder what that great and lofty spirit would have said if he could have imagined the Nation he was helping to found would some day insist upon governing an alien people on the opposite side of the globe! His glory was that in all his life he never broke his word. I should be pleased to learn how the ideal he established can be reconciled with the course of the United States toward the Philippines for the last 11 years. The Nation he founded was dedicated to human liberty and the principles of justice. Its freedom was won by brave men after a desperate struggle against overwhelming odds, a struggle that all the world has since admired and to which all oppressed peoples still come for hope and inspiration. How strange the spectacle of 150 years later! How strange to see the descendants of these magnificent soldiers of freedom retaining against their will a people whose own passion for liberty, centuries old, has been reanimated, led, and sustained by the deathless story of the American War of Independence.

#### THE KIESS AND WAINWRIGHT BILLS

I am opposed to the principles and purposes of the Kiess bill, but as it now seems dead I will not take the space to discuss it.

I am also opposed to the Wainwright bill, which, although it passed the House, did not get through the Senate, but which, I understand, may be reintroduced in the next Congress. The Wainwright bill appears innocent enough on its face, and perhaps it is.

But it is disappointing in that, by implication at least, it looks toward indefinite if not permanent retention of the Philippines instead of carrying out America's definite and solemn promise of independence, upon certain specific conditions long ago fulfilled by the Filipino people.

The measure provides for a visit to the islands "every two years" by a congressional committee composed of three Senators and five Members of the House of Representatives to investigate and report on—

the actual state of the government of the Philippine Islands and the economic and social conditions of the people of the islands.

The three Members of the Senate are to be appointed by the President of the Senate and the five Members of the House by the Speaker thereof. As both of these appointing officials are opposed to Philippine independence, there is nothing to prevent them from appointing such Members as are also opposed to independence. I do not say that they would do so, but I do say that committees have been packed before to assure the bringing in of the kind of a report that would harmonize with the policy of an administration in power; and, frankly, I am not so optimistic as to feel certain that it may never happen again.

The fact that the author of the Wainwright bill is one of the recognized foremost opponents of independence does not add to my enthusiasm for the measure. And the principal argument for its enactment by its author is still more disquieting. He promises that the passage of the bill—

will obviate the practice of delegations coming from the islands to Washington, with all the expense involved.

In other words, the opponents of independence do not want the Philippine independence missions to come here and speak for the Filipino people. Not even a Philippine press bureau in Washington will be necessary. All this expense to the Filipino people can be avoided. The opponents of independence will go to the islands every two years, look the Filipinos over, dine and confer with the American opponents of independence resident in the islands, and then they will return and advise Congress.

I can easily imagine how eloquent and heart-rending will be their pleas to Congress on behalf of the aspirations of the Filipino people for immediate, absolute, and complete independence.

#### AMERICAN AND PHILIPPINE NATIONAL HYMNS

Mr. Speaker, although at times I feel sorely disappointed, as I have already indicated, at the unjustified tardiness of the United States in fulfilling her solemn promise to grant my country its independence, still I feel it is due to myself and to you to say frankly that if I and my people must be governed against our will by some foreign power I prefer it to be by America. The American flag means something to me and the



national American hymns mean something to me. When I ponder over all that the American flag has stood for in the past, when I sense the spirit of liberty that never fails to touch my heart when I listen to the singing of "America" and the "Star-Spangled Banner," it is hard for me to believe that this great and liberty-worshipping people can eternally deny liberty to us.

## AMERICA

My country 'tis of thee,  
Sweet land of liberty,  
Of thee I sing;  
Land where my fathers died,  
Land of the Pilgrim's pride,  
From every mountain side  
Let freedom ring.

## STAR-SPANGLED BANNER

Oh, say, can you see, by the dawn's early light,  
What so proudly we hailed at the twilight's last gleaming,  
Whose broad stripes and bright stars, through the perilous fight,  
O'er the ramparts we watched, were so gallantly streaming?  
And the rocket's red glare, the bombs bursting in air,  
Gave proof through the night that our flag was still there,  
Oh! say, does that Star-Spangled Banner yet wave  
O'er the land of the free and the home of the brave?

## PHILIPPINE NATIONAL HYMN

Land that we honor,  
Born of the eastern sunrise;  
Whose flaming spirit  
Beats high within thy breast.

Land of all blessings,  
Land of love and sunshine;  
Thy sons and daughters  
Safe in thy lap shall rest.

## Chorus

And from thy vales and mountains green,  
And from thy seas and skies,  
The song of thy lov'd liberty  
Forever shall arise.  
And equality, fraternity,  
Free press, and public school,  
The rights of man respected,  
A land the people rule.

## II

The glorious banner,  
Born through the fiercest conflicts,  
Brightly illumined,  
Guided us from on high.

Thy sun and stars shall  
Shine in thy sky forever,  
Leading thy sons where  
Duty and honor lie.

## Chorus

And from thy vales and mountains green,  
And from thy seas and skies,  
The song of thy lov'd liberty  
Forever shall arise.  
And equality, fraternity,  
Free press, and public school,  
The rights of man respected,  
A land the people rule.

## PHILIPPINES, MY PHILIPPINES

I love my own, my native land,  
Philippines, my Philippines.  
To thee I give my heart and hand,  
Philippines, my Philippines.  
The trees that crown thy mountains grand,  
The seas that beat upon thy strand,  
Awaken my heart to thy command,  
Philippines, my Philippines.  
Ye islands of the Eastern Sea,  
Philippines, my Philippines.  
Thy people we shall ever be,  
Philippines, my Philippines.  
Our fathers lived and died for thee,  
And soon shall come the day when we  
Shall lie with them in God's decree,  
Philippines, my Philippines.

Yet still beneath thy ardent sky,  
Philippines, my Philippines,  
More numerous sons shall live and die,  
Philippines, my Philippines.  
In them shall breathe thy purpose high,  
The glorious day to bring more nigh,  
When all shall sing without a sigh,  
Philippines, my Philippines.

## "THE VIRTUE OF SHAKING HANDS"

Because I believe it should be preserved in the CONGRESSIONAL RECORD for permanent reference, I desire to include as a part of my remarks an article written for the Nation (New York) by Mrs. Frances Parkinson Keyes, the distinguished wife of Senator HENRY W. KEYES, of New Hampshire. Mrs. Keyes is known to millions of American magazine readers because of her "Letters from a Senator's wife." Mrs. Keyes visited the Philippines something over a year ago while on a trip around the world, writing articles for the Good Housekeeping magazine. Her article, which follows, throws a great light on Philippine conditions:

## THE VIRTUE OF SHAKING HANDS

By Frances Parkinson Keyes, author of the famous "Letters from a Senator's Wife"

[Reprinted from the Nation. Copyrighted]

"I don't know at all how they live—in a very slack, haphazard way, I suppose; but since I have never been in a Filipino house, I really can't judge."

"You've never been in a Filipino house?" I echoed stupidly, staring at my hostess across a table bright with poinsettias and glittering with wafer-thin, cut shells which served as place cards. Her casual statement, a nonchalant fragment of dinner-party small talk, was to me so astonishing as to be stunning. She was the wife of a United States official who has been for years in the Philippine Islands, and she lived in the "best" residential section of Manila, surrounded on every side by Filipino neighbors. And when she had reiterated, with slightly more detail, what she had said before, it was all I could do to keep from exclaiming, "Well, you certainly have missed a great deal!"

For I had come to this dinner almost directly from a Filipino house; and the picture of elegant and ordered living which I had carried away with me was still as softly vivid as if it had been colored on my consciousness by a master painter; at the end of a driveway which wound quietly up a little hill stood a large garden, the generous green of its central plot fringed with roses; and my hostess, as she greeted me at the open door, handed me a bouquet of dusky roses, their perfume as heavy as their own rich crimson heads. Her satin saya was looped up on one side to show a petticoat of fine lace; the same fine lace was etched against the sheer piña cloth, made of pineapple fiber, of her camisa (bodice); and her neckerchief was fastened with a superb diamond brooch.

"You would like to go upstairs, perhaps," she suggested, "before you take your place in the receiving line?"

She led me up a stairway with a balustrade of dark hardwood, exquisitely carved, into a bedroom where this hardwood and this carving were repeated in every piece of furniture—in the immense, canopied four-post bed, in the dressing table, cheval glass, wardrobe, and chairs. I could not refrain from exclamations of admiration; and I received my reward when I was taken into four other bedrooms, each more beautifully furnished than the last. Then I was conducted downstairs again to the spacious drawing-room; the portrait of my host's mother, painted by a Filipino artist when she was 16—a dainty, wistful, expectant 16, as the artist had understood and interpreted—hung over the grand piano; the casement windows, with their tiny square panes of opalescent shell—that same shell which my American hostess used for dinner cards and which serves in the Philippines so many beautiful and varied purposes—were thrown open to let the mellow afternoon light stream in over burnished brass bowls filled with flowers, over bits of golden brocade gleaming down the length of polished tables, over Chinese rugs of Ming blue spread across a shining floor. Here, in course of time, after I had met a hundred or so women, all dressed, like my hostess, in that lovely costume which is surely one of the most suitable and striking of national dresses, and nearly as many men, in spotless linen and pongee, all cordial, sophisticated, and charming, my hostess brought refreshments to me—pale tea in a thin, priceless cup; sherbets in carved crystal; frosted cakes on a pierced-silver salver; \* \* \* yes, certainly the woman who lives for years where she might go daily to houses like these and never enters one of them misses a great deal!

I spoke of this episode to another American woman, also long resident in the Philippines. Her comment also was surprising.

"Oh, their houses are pretty, many of them," she said, with a little disparaging laugh, "and they're pretty, quite pretty, often. I agree with you that the costume is lovely and the women are really hospitable, charming, and gracious. But they haven't any mentality. Their education is superficial. They don't read. You never see a book in a Filipino house."

Passing over, for the moment, the rather formidable array of women doctors, lawyers, and educators who had been presented to me during my brief stay, I nevertheless ventured to disagree with her. For I had sat, the greater part of the evening before, with another old friend, a Filipino woman, whom I had known before coming to the islands, in her library. This library so far surpassed my own—and I am proud of my library—that I was green with jealousy. It was a large room—much larger than mine—and the books were crowded on three sides, clear to the ceiling, row after row; on the fourth side, under the broad windows, three more rows of books were squeezed in. The large central table was covered with magazines and newspapers in several languages; the latest works of fiction, biography, history, and travel were scattered lavishly about; and as the owner of these envied treasures talked with me about what she had "recently read" my sense of being almost illiterate myself grew stronger and stronger, such was the variety, depth, and extent of her reading.

The Spaniard, with all his faults as a colonist, did not shut his eyes to the fact that the Philippines were producing men and women of culture, refinement, and intellect, and mingled with them socially as a matter of course. The American colonist, loudly proclaiming his superiority, refuses to do anything of the kind. The line of cleavage between the two races—Anglo-Saxon and Malay—has been drawn as it certainly is not drawn in Java, where the Dutch, it would seem, are facing much the same problem which confronts us in the Philippines with another Malay race.

And how are the Dutch dealing with it? By recognizing, first of all, the Javanese as a social equal, if, by birth, breeding, and education he is entitled to such recognition. The native sultans and regents have been shorn of all but nominal power; but the Dutch residents and governors and the governor general invite them to dinner and dine with them in return, display and exact respect for their religious and domestic customs, and address them in terms of brotherly affection. This may be merely surface courtesy, but it certainly results in a smooth and pleasing surface. Nor is this all, the Dutch declare that a child with a drop of Dutch blood in its veins is a Dutch child, not only while it is a child but after it is grown, not only in Java and elsewhere in the Dutch East Indies but in the Netherlands. If you go into the Queen Wilhelmina School, one of the best private schools in Bandoeng—and Bandoeng has a system of schools, both public and private, of which any city in the world might well be proud—you will find sitting beside a flaxen-haired, blue-eyed, snowy-skinned little girl a black-haired, black-eyed, dusky-skinned little boy. Not a single instance of this, but many; not only dusky little boys sitting by fair little girls, but dusky little girls sitting by fair little boys.

If you go in the afternoon to one of the fine concerts held in the clubs which are the centers of adult social life you will notice that the pretty woman, exquisitely dressed, sitting at the next table to you beside her blond, rotund, and placid Dutch husband, is a slim brunette herself; and glancing about at all the other couples who are drinking cool beverages and listening to the music at dozens of other little tables, you will realize how many of them bear the unmistakable sign of an admixture of races. More than this, you will find, if you are fortunate enough to be invited to some of the official households, that your hostess, the wife of a great Dutch functionary, would not be called Dutch by you, and neither would many of the guests. If you motor over the excellent island roads, reveling in scenery which is at once exotic and controlled, with wet fields of terraced rice and acres of plummy sugar cane, and mountains veiled with a rosy mist of sunset, you will see troops of soldiers marching, with corporals at the head of private soldiers far lighter in color than they.

You will also find now and then a whispered murmur, "Java for the Javanese," or a hint that these Javanese, like all other subject races governed by aliens, are resenting foreign rule with a New World consciousness. But this is indefinite, unformed, and not at all troublesome. The Dutch are losing no sleep, no time, and no money over it; they are sending out no committees appointed by Queen Wilhelmina to report to the Dutch Parliament at the opening session and justify their tenacity in clinging to their richest possession. They are not talking about the economic and political causes of Javanese ingratitude, for they have accorded social recognition to the Javanese in a very wide sense of the word, and in doing so they have eliminated the great source of open, hot, rebelliousness and rancor.

The Dutch are far harder taskmasters than we have ever been. The poor Javanese—and most of them are poor—old and young, work early and late, and for wages so small that it is incomprehensible to the outsider that they should sustain life upon such a pittance. Their village homes are untouched by the sanitary reforms which we have thrust upon the Filipinos. Their village schools, though these, like village banks, do exist—it being pure slander to say that the Dutch have allowed the natives no educational opportunities—cut a poor figure beside the substantial concrete buildings in the Philippines, to which the Filipino children eagerly flock, being much more interested in primers than they are in plumbing. While, should a Javanese journal once attempt the expression of such sentiments toward the Dutch as are flung out against Americans daily across the front pages of

several Manila newspapers, without interference from our authorities, its suppression would be both speedy and severe. Yet in Java are order, peace, and prosperity to a remarkable degree; in the Philippines violent dissatisfaction, chaos, turmoil, and unsettled financial conditions.

Is it possible that in denying social privileges to a race peculiarly sensitive in regard to such recognition we have been guilty not only of an offense against good manners, but of a national blunder the consequences of which may be grave? Mr. Hughes is generally supposed to have forfeited the Presidency because of his failure to shake hands with Senator JOHNSON. Are we to forfeit the Philippines because we have, so to speak, refused to shake hands with the Filipinos? We need not go as far as the Dutch; we may leave aside all questions of racial intermarriage, the advisability of which we shall probably always question, and which—let us not forget—the races with which we decline to intermarry question quite as anxiously as we do. Might it not be well to admit that there are Filipinos who are our social equals, and to accept the hospitality which they, more than any other race with which I have come in contact, offer so lavishly and so wholeheartedly? Might it not be well, perhaps, to offer them a little in return?

It is no idle epigram, more graceful than veracious, which states that the fate of nations has often been decided over a dinner table. It is the sober truth. And it is a truth to which we might listen with profit in considering the problem of the Philippines.

#### PHILIPPINE FOREIGN TRADE

There may be those who believe that independence will ruin Philippine industries and foreign trade. I am not apprehensive on that score. I rather agree with the sentiment expressed by an elderly and highly esteemed citizen of my country, Don Ruperto Laurel, of Tanawan, Batangas, who, in a letter to Col. Carmi A. Thompson, suggested that, like the coconut tree that languishes and bears no fruits when growing under the shadow of a bigger tree, the Philippines will ever remain a backward country under American or any other foreign sovereignty.

Opponents of independence assert Philippine industries would receive a death blow with independence, because Philippine products now entering the United States duty free would be barred by America's tariff wall. The fact is that the foreign trade of practically every republic on earth, however small, shows a higher percentage of increase in recent years without American sovereignty and tariff-free access to American markets, than does that of the Philippines with both. If the little South American Republics, with less population, less resources, and much lower literacy, can thrive commercially with independence, why assume a Philippine republic could not also exist?

I submit, further, that the following chart bears out my contention:

Comparative gains in foreign trade of Philippines and South American Republics

Country	Area in square miles	Population	Foreign trade		
			1921	1924	Gain
Philippines.....	115,026	11,568,494	\$203,953,896	\$243,355,500	Per cent 20
Ecuador <sup>1</sup> .....	118,627	1,500,000	.....	.....	61
Costa Rica.....	23,005	498,435	21,061,773	28,568,249	39
Salvador.....	7,225	1,550,000	16,948,042	35,326,000	113
Guatemala.....	48,290	2,119,165	25,747,328	42,728,538	68
Venezuela.....	393,976	3,000,000	44,192,462	59,713,527	31
Chile.....	289,796	3,774,485	297,497,313	375,226,935	28
Brazil.....	3,276,358	30,635,605	437,314,937	765,013,350	75
Argentina.....	1,153,418	9,548,092	1,267,790,000	1,771,587,710	39

<sup>1</sup> Estimated.

<sup>2</sup> For Ecuador export figures only were available for 1923 and 1924, as follows: 1923, \$18,655,770; 1924, \$29,770,209. Gain in exports in one year, 61 per cent.

<sup>3</sup> Foreign trade for 1923.

#### EARLY PHILIPPINES HISTORY

The Philippines were discovered by Magellan in 1521. In 1565 the Spaniards made the first permanent settlement at Cebu. In 1570 they occupied Manila, and were in control of the islands until 1898, the year of American occupation.

The inhabitants of the Philippines possessed a culture of their own prior to the coming of the Spaniards to the islands. Those along the coasts were the most advanced in civilization. Their material wealth was considerable. The chief occupations were agriculture, fishing, weaving, some manufacturing, and trade, both interisland and with the mainland, generally in the form of barter. They were expert navigators. They used standard weights and measures. The year was divided into 12 lunar months. They had a peculiar phonetic alphabet, wrote upon leaves, and had a primitive literature. The majority of the people are said to have been able to read and write. (Justice George A. Malcolm, *The Government of the Philippine Islands*, pp. 27 and 28.)



The inhabitants of these islands were by no means savages, entirely unclaimed from barbarism before the Spanish advent in the sixteenth century. They had a culture of their own. (John Foreman, an English scholar.)

They had already reached a considerable degree of civilization at the time of the Spanish conquest. (Ferdinand Blumentritt, an Austrian professor.)

Upon the arrival of the Spaniards they found the ancestors of the present-day Filipinos in possession of considerable culture, which is somewhat comparable to that of some of the mountain peoples of to-day. (Dr. James A. Robertson, an American scholar.)

The Filipino people, even in prehistoric times, had already shown high intelligence and moral virtues and intelligence clearly manifested in their legislation, which, taking into consideration the circumstances and the epoch in which it was framed, was certainly as wise, as prudent, and as humane as those of the nations then at the head of civilization. (Judge Romualdez, a Filipino scholar.)

#### SCHOOLS DURING THE SPANISH RÉGIME

As early as 1866, out of a population of 4,000,000 people there were 841 schools for boys and 833 for girls. In 1892, eight years before the coming of the Americans, there were 2,137 schools. There were also during the Spanish régime colleges and universities where professional training was given. The colleges were: University of Santo Tomas, Manila, established in 1611 (25 years older than Harvard); San Juan de Letran; Municipal Athenæum; normal school; College of San Jose; the Nautical School; the School of Commercial Accounting; the Academy of Painting and Drawing; and many other private schools, 14 of which were in Manila, while others in the Provinces must also be reckoned. There were seminaries in Manila, Nueva Segovia, Cebu, Jaro, and Nueve Caceras, where all branches of secondary instruction were taught in addition to those which constituted the studies for the priesthood. (Data from the American census of 1903.)

#### PROGRESS OF THE FILIPINOS DURING THE SPANISH RÉGIME

The famous French explorer of the Pacific, La Perouse, who was in Manila in 1787, wrote:

Three million people inhabit these different islands, and that of Luzon contains nearly a third of them. These people seemed to me no way inferior to those of Europe; they cultivate the soil with intelligence, they are carpenters, cabinetmakers, smiths, jewelers, weavers, masons, etc. I have gone through their villages and I have found them kind, hospitable, and affable. (Voyage de la Perouse autour du Monde, Paris, 1797, 11, p. 347.)

Coming down nearly a generation later, the Englishman Crawford, the historian of the Indian Archipelago, who lived at the court of the Sultan of Java as British resident, said:

It is remarkable that the Indian administration of one of the worst governments of Europe, and that in which the general principles of legislation and good government are least understood—one, too, which has never been skillfully executed—should, upon the whole, have proved the least injurious to the happiness and prosperity of the native inhabitants of the country. This undoubtedly has been the character of the Spanish connection with the Philippines, with all its vices, follies, and illiberality, and the present condition of these islands affords an unquestionable proof of the fact. Almost every other country of the [Malay or Indian] archipelago is at this day, in point of wealth, power, and civilization, in a worse state than when Europeans connected themselves with them three centuries back.

The Philippines alone have improved in civilization, wealth, and populousness. (History of the Indian Archipelago, etc., by John Crawford, F. R. S. Edinburgh, 1820, Vol. II, pp. 447, 448.)

The German naturalist, Jagor, who visited the islands in 1859-60, wrote:

Assuming the truth of the above sketch of pre-Christian culture, which has been put together only with the help of defective linguistic sources, and comparing it with the present, we find, as a result, a considerable progress, for which the Philippines are indebted to the Spaniards. (Travels in the Philippines, Eng. Ed., p. 151.)

The Austrian professor, Ferdinand Blumentritt, wrote in La Solidaridad of October 15, 1899, to this effect:

If the general condition of the civilization of the Tagalos, Pampanagos, Bicoles, Bisayans, Ilocanos, Cagayanes, and Sambales is compared to the European constitutional countries of Servia, Rumania, Bulgaria, and Greece, the Spanish-Filipino civilization of the said Indian districts is greater and of larger extent than of those countries.

Finally, writing from historical perspective, the foremost American scholar on the Philippines gives the following résumé of the results of the Spanish administration:

The Spaniards did influence the Filipinos profoundly, and on the whole for the better. There are ways, indeed, in which their record as a colonizing power in the Philippines stands to-day unique in all the world for its benevolent achievement and its substantial accomplishment of net progress. We do not need to gloss over the defects of Spain; we do not need to condone the backward and halting policy which at last turned the Filipinos against Spanish rule, nor to regret the final outcome of events, in order to do Spain justice. But we must do full justice to her actual achievements, if not as ruler, at any rate as teacher and missionary, in order to put the Filipinos of to-day in their proper category. (Le Roy: Philippine Life in Town and Country, 1905, pp. 6, 7.)

#### THE PHILIPPINE REPUBLIC OF 1898 AS VIEWED BY SOME AMERICAN OFFICIALS

John Barrett, later Director of the Pan American Union, saw the Philippine Republic in operation, and described it as follows:

It is a government which has practically been administering the affairs of that great island, Luzon, since the American possession of Manila, which is certainly better than the former administration. It had a properly formed cabinet and congress, the members of which, in appearance and manners, would compare favorably with the Japanese statesmen.

Admiral Dewey, after studying Philippine conditions during the Spanish-American War, spoke of the Filipinos as follows:

In my opinion, these people are far more superior in intelligence and more capable of self-government than the natives of Cuba. I am familiar with both races.

General Merritt, on his arrival in Paris in October, 1898, was reported as saying:

The Filipinos impressed me very favorably. I think great injustice has been done to the native population. \* \* \* They are more capable of self-government than, I think, the Cubans are. They are considered to be good Catholics. They have lawyers, doctors, the men of kindred professions, who stand well in the community, and bear favorable comparison to those of other countries. They are dignified, courteous, and reserved.

General Merritt states in his report (Vol. I, part 2, War Department report for 1898) that Aguinaldo had—

proclaimed an independent government, republican in form, with himself as president, and at the time of my arrival in the islands the entire edifice of executive and legislative departments had been accomplished, at least on paper.

General Anderson says:

We held Manila and Cavite. The rest of the island was held not by the Spaniards, but by the Filipinos. On the other islands, the Spaniards were confined to two or three fortified towns. ("Our rule in the Philippines," 170, No. Am. Rev., Feb., 1900, p. 281.)

His [Aguinaldo's] success was not in the least astonishing, as after the various islands had driven out the few remaining and discouraged soldiers of their openly declared enemy, they naturally turned to Luzon for some form of central government, the islands of the south being well aware of their inability to maintain successful separate and distinct political establishments. The crude one in process of formation in central Luzon offered itself through its visiting agents and was accepted in part (notwithstanding race animosities and divergent business interests), and very probably because no other alternative was offered. The eight months of opportunity given the ambitious Tagalo by the hold on Spain which the United States maintained was sufficient also for him to send his troops and designing men into the distant Provinces and hold the unarmed natives in subjection while he imposed military authority, and thus, in December, 1898, we find in northern and southeastern Luzon, in Mindoro, Samar, Leyte, Panay, and even on the coast of Mindanao, and in some of the smaller islands the aggressive Tagalo present in person, and, whether civilian or soldier, supreme in authority. (Report of General Otis, August 21, 1899, quoted in Harper's History of the War in the Philippines, pp. 99, 100.)

It is little short of marvelous how rapidly the insurrection has gained ground in this short time and how extensive and successful the operations of the army have been. The insurgents managed in a very few weeks to besiege and capture numerous small Spanish positions in the Provinces, and they completely overran the whole island of Luzon, together with seven adjacent islands. (F. D. Millet, "The Filipino Republic," September 16, 1898, printed in Harper's History of the War in the Philippines, pp. 65, 66.)

By December, 1898, the revolutionary government was in control of almost the entire archipelago. (McKinley, *Island Possessions of the United States*, p. 234.)

The revolutionary government was universally recognized throughout the islands except in Manila and seaports still held by the Spanish. (Edwin Wildman, Aguinaldo—A Narrative of Filipino Ambitions, p. 142.)

Albert G. Robinson, the Philippines correspondent for the New York Evening Post, during portions of 1899 and 1900, expresses the opinion that—

the Philippine Islands, with the exception of the besieged city of Manila, were virtually in the hands of the Filipinos.

And again to the same effect that—

It is now known that at the time of the arrival of the American Army in Manila in June, 1898, almost the entire area of the Philippines, practically all with the exception of one or two of the larger coast cities, was in the hands of the insurgents. Not only were they in control of the country; they were administering its political affairs as well. This they continued to do for the greater part of the island throughout the following year, practically until the autumn of 1899. Up to that time the territory occupied by the forces of the United States in the Island of Luzon was confined to a very limited area in the vicinity of Manila, with a filamentary extension northward for some 50 or 60 miles along the Manila-Dagupan Railway. Very much the same condition obtained on the other islands. One thing is certain: although greatly disturbed by the conditions of war, this territory was under some form of governmental administration.

Finally quoting a letter of his, dated September 27, 1899, to the New York Evening Post, he states:

There is one point which I think is not generally known to the American people, but which is a very strong factor in the question of Filipino self-government, both now and in any future position. In the West Indies the greater number of offices and official positions were filled by Spaniards, either native born or from the Peninsula. In the Philippines the percentage of available Spaniards for minor positions was vastly less than that shown in the West Indian colonies. The result was that while the more prominent and more profitable offices in the Philippines were filled by Spaniards, many of the minor offices in the larger cities and most of those in the country were held by Filipinos. Therefore, when the Filipino party assumed the government for those districts which the Spaniards evacuated, the Filipinos had a system of government in which Filipinos held most of the positions, already established for their purposes. It was but necessary to change its head and its name. Instead of being dominated by the agents of Alfonso XIII, por la gracia de Dios y de la Constitucion Rey catolico de Espana, the same machinery was set in motion and controlled first by the dictatorial government and then by the Philippine revolutionary government, under the constitution proclaimed on June 23, 1898.

This fact simplified matters for the Filipinos and gave them the ground upon which they make their assertion of maintaining a successful administration in those Provinces which they occupied. (Robinson: *The Philippines: The War and the People*, pp. 48, 282, 403, 303.)

Leonard Sargent, a naval cadet, and W. B. Wilcox, paymaster of the Navy, after traveling over the island of Luzon, at that time wrote a report of their trip, which was referred by Admiral Dewey to the Navy Department with the indorsement that it was "the most complete information obtainable." Mr. Sargent remarked:

Although this government has never been recognized, and in all probability will go out of existence without recognition, yet it can not be denied that, in a region occupied by many millions of inhabitants, for nearly six months it stood alone between anarchy and order.

As a tribute to the efficiency of Aguinaldo's government and to the law-abiding character of his subjects, I offer the fact that Mr. Wilcox and I pursued our journey throughout in perfect security and returned to Manila with only the most pleasing recollections of the quiet and orderly life which we found the natives to be leading under the new régime.

#### PRESIDENT TAFT ON FILIPINO CHARACTER AND CAPACITY

Speaking of the Filipinos, Mr. Taft said in his special report to the President of the United States in 1908:

The friars left the people a Christian people—that is, a people with western ideals. They looked toward Rome and Europe and America. \* \* \* It is the only Malay or oriental race that is Christian. They were not like the Mohammedan or Buddhist, who despise western civilization as inferior \* \* \* They learn easily, and the most striking fact in our whole experience in the Philippines is the eagerness with which the common Filipino agricultural laborer sends his children to school to learn English. There is no real difference between the educated and ignorant Filipino that can not be overcome by the education

of one generation. They are a capable people, in the sense that they can be given a normal intellectual development by the same kind of education that is given in our common-school system.

During the Philippines committee hearings conducted by the American Senate—1914—Mr. Taft said:

The word "tribe" gives an erroneous impression. There is no tribal relation among them. There is a racial solidarity among the Filipino people, undoubtedly. They are homogeneous. I can not tell the difference between an Ilocano and a Tagalog, or a Visayan. The Ilocanos, it would seem to me, have something of an admixture of the Japanese blood; the Tagalogs have rather more of the Chinese; and it seems to me that the Visayans had still more. But to me all the Filipinos were alike.

Mr. Taft is of the opinion that the Filipinos are better prepared for self-government than the Cubans.

In the Philippines the ultimate prospect for self-government is better than in Cuba for the reason that the economic conditions are better adapted to building up an intelligent middle class because there is a much greater division of land among the people. (Philippines Committee Hearings, 1914, p. 383.)

#### PERSONAL FAREWELL REMARKS

Mr. VARE. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. VARE. Mr. Speaker, separation from one's friends and associates is a rule of life from which there can be no appeal to the Chair.

All of us who have served in the House for more than one term have seen our ranks change repeatedly. Those of us who have been honored by our constituents by reelection for a number of terms have been drawn together by ties of friendship developed by continuous association which party and legislative differences can never sever.

It is therefore with deep regret that I must leave this great body of those I hold dear as my friends and companions. During the 15 eventful years I have had the honor to serve in the House I have had many close associations with men whose friendship and companionship I have prized. Time makes many changes but it can not wipe out altogether pleasant memories of pleasant hours spent with pleasant men.

I shall leave the House mindful always of my many friends in this Chamber. Although no longer a Member I shall feel privileged to return often to mingle with you if you will permit me. I shall never be forgetful of my friends here or of the pleasant associations which have been mine as a Member of this great body of representative Americans.

I feel you will all understand as I dwell upon the years I have spent as a member of the Appropriations Committee if I refer to my warm friendship and deep respect for its present able chairman, the Hon. MARTIN B. MADDEN, of the great State of Illinois. [Applause.]

I have no more intimate friend than MARTIN B. MADDEN. I know I share with other Members of this body a genuine regard for him. I know I need not remind you of his sterling qualities as a man, of his personal modesty and lack of pretense, of his genial presence as a companion and as an adviser, and, last but not least, of his rare worth as a Member of the House and as chairman of the Appropriations Committee.

I served under three of his predecessors as a member of the Appropriations Committee—the Hon. James W. Good, the Hon. Swagar Sherley, and the Hon. John J. Fitzgerald. In no spirit of invidious comparison do I refer to the invaluable services rendered by each of them as they guided appropriation bills through the devious channels and past the inevitable snags of attempting to satisfy everybody at the same time.

I believe, however, I am not alone in the opinion that MARTIN B. MADDEN towers to-day as a consistent advocate of economy in the use of the money the taxpayers send to the United States Treasury, as one who interprets the Budget law so wisely enacted by the Congress as the keystone of our national prosperity and industry. [Applause.]

I do not wish to detain my colleagues. My only desire is to convey to you all just what is in my heart and upon my mind. I want you to feel that I consider you all as my friends—from our most able Speaker, the Hon. NICHOLAS LONGWORTH [applause], down to the "baby" Member. I wish to thank the distinguished Republican floor leader, the Hon. JOHN Q. TILSON, and the distinguished leader on the Democratic side, for the many courtesies accorded me. [Applause.]

In leaving you all I am really experiencing regret. I shall always cherish my friends and memories of the House. And



my uppermost thought and wish is that I shall continue to enjoy your friendship. [Applause.]

#### DEFINITION OF DEPAUPERIZE

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Speaker, the gentleman from Mississippi [Mr. RANKIN] in a spirit of unfairness quoted only one definition from the dictionary. The Standard Dictionary says that to depauperize is to free from paupers or to rescue from a condition of pauperism. [Applause on the Republican side.]

Mr. RANKIN rose.

Mr. CROWTHER. I can not yield. That is definition No. 1. The gentleman from Mississippi quoted definition No. 2, which seemed to better suit his purpose. Webster's Dictionary says that depauperize means to free from paupers or from poverty.

Mr. RANKIN rose.

Mr. CROWTHER. Mr. Speaker, I do not yield. I desire to inform the gentleman from Mississippi [Mr. RANKIN] that poverty and paupers have always been the inheritance of the Republican Party from Democratic administrations that still believe in the destructive policy of tariff for revenue only, which is in reality nothing more or less than free trade. [Applause on the Republican side.]

#### ACCOUNT BETWEEN THE STATE OF NEW YORK AND THE UNITED STATES

Mr. MICHENER. Mr. Speaker, I present a conference report for printing under the rule on the resolution, H. J. Res. 207.

The SPEAKER. The gentleman from Michigan presents a conference report on the resolution, H. J. Res. 207, which the Clerk will report.

The Clerk read the conference report, as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H. J. Res. 207) directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, and 3, and agree to the same.

Amend the title so as to read: "Joint resolution directing the Comptroller General of the United States to correct an error made in the adjustment of the account between the State of New York and the United States, adjusted under the authority contained in the act of February 24, 1905 (33 Stat. L. p. 777), and appropriated for in the deficiency act of February 27, 1906, and further directing the Comptroller General of the United States to restate and readjust the account between the State of North Carolina and the United States for and on account of advances and expenditures made by said State in the War of 1812 to 1815"; and the Senate agree to the same.

GEO. S. GRAHAM,  
EARL C. MICHENER,  
H. ST. G. TUCKER,

*Managers on the part of the House.*

GEORGE NORRIS,  
LEE S. OVERMAN,

*Managers on the part of the Senate.*

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

#### WORLD WAR VETERANS' LEGISLATION

Mr. LUCE. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. LUCE. Mr. Speaker, if the legislative developments of the next 16 minutes warrant it, I shall withdraw these remarks from the RECORD. Otherwise I desire the RECORD to show them.

I desire this House to know, I desire the people of the United States to know, and particularly I desire 4,000,000 veterans of the World War to know, that this House passed unanimously a bill authorizing the appropriation of \$11,000,000 to provide

nearly 4,000 additional hospital beds for disabled victims of the World War. Parliamentary propriety keeps me from fixing here the responsibility for the failure of this bill. But he who looks into it carefully will know that another party than mine in another branch of the legislative body is responsible.

I hope none of the Democrats who here joined with the Republicans in support of this measure will suffer as a result of this lame and impotent conclusion of our labors. I hope, however, that they will accept with philosophy the verdict of the people of the United States in fixing the party responsibility for the failure to make provision for these 4,000 pitiable victims of the World War, who will go without comfort, who will lack proper medical care, and whose lives may perchance be shortened by reason of the refusal of men of the party to which I do not belong to allow this bill to become a law. [Applause.]

HON. WILLIAM D. UPSHAW

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short invitation extended by my colleague from Georgia [Mr. UPSHAW].

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LARSEN. Mr. Speaker, I am sure Members of the House will be interested and delighted to know that a somewhat unusual and very high honor is to be paid our colleague, Hon. W. D. UPSHAW, retiring Representative of the Fifth Georgia District. As a token of the very high esteem in which he is held by the people of Atlanta, his home city, a brilliant entertainment has been planned in his honor. A testimonial dinner is to be given at the Ansley Hotel on the evening of March 8. The invitation, expressing a beautiful sentiment, follows:

After many years of distinguished public service, and at the close of an eight-year term in Congress of the United States, a brilliant son of Georgia, a flaming evangel of lofty patriotism, who has won wide national and international recognition, is about to head homeward. Citizens of the fifth congressional district of Georgia want to honor WILLIAM D. UPSHAW and subscribe anew to the deathless principles for which he has so valiantly stood, in the halls of Congress, out over the Nation, and abroad. For this purpose a dinner will be given at the Ansley Hotel on the evening of March 8 next, with several hundred representative citizens in attendance.

To signalize the occasion we greatly desire to welcome you as a guest at this dinner, adding a national, as well as local, approval and appreciation of the type of Christian citizenship advocated by "Our Congressman." An invitation has been extended also to Hon. Josephus Daniels, Hon. William G. McAdoo, and others of national reputation as speakers; our out-going and in-coming governors, with other local officials, will also assist in welcoming you to our city.

Many of our most prominent citizens throughout the Nation have accepted the invitation and will attend the dinner.

After years of such faithful and efficient service in the House, it is only natural that the constituency of our distinguished friend should thus honor him. No matter to what party one belongs, or how intense feelings may have become in moments of strenuous debate, I am sure we all recognize and appreciate his never-failing courtesy, courage, and splendid ability. He has long been considered one of the most brilliant orators of the House, and his recent address on the life of Lincoln will be regarded as one of the greatest orations ever delivered in Congress.

#### CONTINENTAL CONGRESS CELEBRATION AT YORK, PA.

The Speaker announced the appointment of Mr. TILSON, Mr. ACKERMAN, Mr. CRISP, and Mr. MOORE of Virginia members on the part of the House of the joint committee of Congress to participate in the celebration of the one hundred and fiftieth anniversary of the meeting of the Continental Congress at York, Pa., September 30, 1777, to be held at York, Pa., on September 30, 1927.

#### LEAVE TO ADDRESS THE HOUSE

Mr. TINCHER. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

Mr. BLACK of New York. I object to any more stump speeches from Republicans at this hour.

Mr. RANKIN. Mr. Speaker, I reserve the right to object.

Mr. BLACK of New York. I must object, Mr. Speaker. If the gentleman from Kansas will tell us that it is only a farewell address, all right. In that case I will withdraw my objection.

The SPEAKER. Is there objection? [after a pause.] The Chair hears no objection.

Mr. RANKIN. Mr. Speaker, I have reserved the right to object.

Mr. BLACK of New York. Mr. Speaker, I object to the request of the gentleman from Kansas [Mr. TINCHE].

Mr. RANKIN. You are not going to unload any such false charges on this side.

#### REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT

Mr. TILSON. Mr. Speaker, the committee appointed to wait upon the President and inform him that the House is now about to adjourn unless he has further communication to make to us have performed that duty, and beg to report that he has informed us that he has no further communication to make at this time.

#### HOUSE APPOINTMENT ON HARRIMAN GEOGRAPHIC BOARD

The SPEAKER. The Chair appoints as members on the part of the House on the joint committee on the Harriman Geographic Board Mr. TEMPLE, Mr. NEWTON of Minnesota, and Mr. STEVENSON of South Carolina.

#### PHOTOGRAPHIC INSTRUMENTS IN THE GALLERY

The Chair has a further announcement to make. He has observed in the gallery a number of photographic instruments. The Chair has no objection to photographs being taken up to the time of the adjournment, but the Chair will request that all photographic instruments be removed from the gallery at once when the House adjourns.

#### COMMITTEE ON ENROLLED BILLS

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 10504. An act to amend the act approved June 4, 1897, by authorizing an increase in the cost of lands to be embraced in the Shiloh National Military Park, Pittsburg Landing, Tenn.; and

H. R. 12563. An act for the relief of Walter B. Avery and Fred S. Gichner.

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had on the following dates approved and signed House bills and joint resolutions of the following titles:

On March 2, 1927:

H. R. 14930. An act granting the consent of Congress to the H. A. Carpenter Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the town of St. Marys, Pleasants County, W. Va., to a point opposite thereto in Washington County, Ohio;

H. R. 15905. An act to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes;

H. R. 16282. An act granting the consent of Congress to the Nebraska-Iowa Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 16507. An act to authorize an increase in the limit of cost of certain naval vessels, and for other purposes;

H. R. 16685. An act granting the consent of Congress to the Carrollton Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Ohio River between Carrollton, Carroll County, Ky., and a point directly across the river in Switzerland County, Ind.;

H. R. 16770. An act granting the consent of Congress to the Starr County Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande River;

H. R. 16800. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1928, and for other purposes;

H. R. 16973. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 17128. An act granting the consent of Congress to the State of Indiana, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, and permitting the State of Kentucky to act jointly with the State of Indiana in the construction, maintenance, and operation of said bridge;

H. R. 17264. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Ill.; and

H. J. Res. 332. Joint resolution to correct error in Public, No. 526, Sixty-ninth Congress.

On March 3, 1927:

H. J. Res. 96. Joint resolution to authorize the President to pay to surgeons employed on the Alaska Railroad such sums

as may be due them under agreement with the Alaskan Engineering Commission or the Alaska Railroad;

H. R. 1130. An act authorizing the Secretary of War to donate to the Wayne County Council of the Veterans of Foreign Wars, of Detroit, State of Michigan, two obsolete brass cannons;

H. R. 2229. An act for the relief of John Ferrell;

H. R. 2320. An act for the relief of Delmore A. Teller;

H. R. 3069. An act for the relief of Charles O. Dunbar;

H. R. 3378. An act for the relief of Randolph Foster Williamson, deceased;

H. R. 3602. An act for the relief of Charles W. Shumate;

H. R. 3858. An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a foreign commerce service of the United States, and for other purposes;

H. R. 5264. An act for the relief of Ann Margaret Mann;

H. R. 6252. An act amending section 52 of the Judicial Code;

H. R. 8894. An act for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands;

H. R. 9787. An act to correct the military record of Samuel Wemmer;

H. R. 10111. An act for the relief of D. Murray Cummings;

H. R. 10465. An act granting the consent of Congress to the Mount Hope Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island;

H. R. 10662. An act authorizing an appropriation for the construction of a roadway and walk leading to and around the Chalmette Monument, Chalmette, La.;

H. R. 11914. An act for the relief of the United States Fidelity & Guaranty Co.;

H. R. 12217. An act relating to the appointment of trustees and committees;

H. R. 12218. An act amending sections 1125 and 1127, chapter 31, of the District of Columbia Code;

H. R. 12551. An act for the relief of the Fidelity & Deposit Co. of Maryland;

H. R. 13971. An act for the relief of Ruth J. Walling;

H. R. 14567. An act authorizing the Comptroller General of the United States to allow credits to disbursing agents of the Bureau of Reclamation, Department of the Interior, in certain cases;

H. R. 14881. An act to relinquish to its equitable owners the title of the United States to the land in the claims of A. Moro and of Anthony Campbell in Jackson County, Miss.;

H. R. 14925. An act authorizing the sale of the new subtreasury building and site in San Francisco, Calif.;

H. R. 15129. An act granting the consent of Congress to the Indiana Bridge Co. to construct, maintain, and operate a bridge across the Ohio River at Evansville, Ind.;

H. R. 15906. An act to authorize the purchase of land for an addition to the United States Indian school farm near Phoenix, Ariz.;

H. R. 16183. An act granting relief to Thomas M. Livingston;

H. R. 16212. An act to authorize per capita payments to the Indians of the Cheyenne River Reservation, S. Dak.;

H. R. 16442. An act for the relief of Ira E. King;

H. R. 17243. An act to authorize appropriations for construction at military posts, and for other purposes;

H. R. 18527. An act to amend section 2 of an act entitled "An act authorizing investigations by the Secretary of the Interior and the Secretary of Commerce jointly to determine the location, extent, and mode of occurrence of potash deposits in the United States, and to conduct laboratory tests";

H. R. 15344. An act to amend the act entitled "An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes";

H. J. Res. 330. Joint resolution to provide for the expenses of delegates of the United States to the Eighth Pan American Sanitary Conference to be held at Lima, Peru;

H. J. Res. 351. Joint resolution to provide for the expenses of the participation of the United States in the work of the economic conference to be held at Geneva, Switzerland;

H. R. 5082. An act for the relief of David Barker;

H. R. 10510. An act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them;

H. J. Res. 345. Joint resolution amending the act of May 13, 1924, entitled "An act providing a study regarding the equitable use of the waters of the Rio Grande," etc.;



H. R. 3791. An act to purchase a painting of the several ships of the United States Navy in 1891 and entitled "Peace";

H. R. 7973. An act to provide American registry for the Norwegian sailing vessel *Derwent*;

H. R. 8852. An act for the relief of Thomas Maley;

H. R. 12797. An act to authorize the sale of the Buckeye Target Range, Ariz.;

H. R. 15131. An act to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States;

H. R. 15602. An act to amend the last paragraph of an act entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States";

H. R. 16703. An act authorizing the President to appoint Capt. Reginald Rowan Belknap, United States Navy, retired, a rear admiral on the retired list of the Navy;

H. J. Res. 324. Joint resolution authorizing the use of a portion of that part of the United States National Cemetery Reservation at Chattanooga, Tenn., lying outside the cemetery wall, for a city pound, animal shelter, and hospital;

H. J. Res. 363. Joint resolution amending the joint resolution entitled "Joint resolution directing the Secretary of the Interior to withhold his approval of the adjustment of the Northern Pacific land grants, and for other purposes," approved June 5, 1924;

H. R. 54. An act authorizing the removal of the gates and piers in West Executive Avenue between the grounds of the White House and the State, War, and Navy Building;

H. R. 1840. An act for the relief of Edward A. Grimes;

H. R. 9211. An act to prescribe certain of the qualifications of voters in the Territory of Alaska, and for other purposes;

H. R. 10238. An act for the relief of Josiah Ogden Hoffman;

H. R. 10729. An act to create a bureau of customs and a bureau of prohibition in the Department of the Treasury;

H. R. 14718. An act for the promotion and retirement of William H. Santelmann, leader of the United States Marine Band;

H. R. 15181. An act for the relief of S. K. Truby;

H. R. 15541. An act to authorize the exchange of certain land between the United States and the District of Columbia;

H. R. 16224. An act for the relief of the DeWitt County National Bank, of Clinton, Ill.;

H. R. 16311. An act for the relief of the First National Bank, Savanna, Ill.;

H. R. 16886. An act to authorize the Director of the United States Veterans' Bureau to make loans to veterans upon the security of adjusted service certificates;

H. R. 16952. An act to ratify and confirm act No. 3243 of the Philippine Legislature, approved November 27, 1925;

H. J. Res. 243. Joint resolution for the relief of special disbursing agents of the Alaskan Engineering Commission or of the Alaska Railroad;

H. J. Res. 272. Joint resolution providing for the return of funds belonging to World War National Guard organizations that are not reconstituted;

H. J. Res. 352. Joint resolution to provide for the expenses of the participation of the United States in the work of a preparatory commission to consider questions of reduction and limitation of armaments;

H. R. 531. An act for the relief of John A. Bingham;

H. R. 724. An act for the relief of Capt. Norman D. Cota;

H. R. 780. An act for the relief of J. S. Corbett;

H. R. 1595. An act for the relief of Fannie Kravitz;

H. R. 1691. An act for the relief of Henry F. Downing;

H. R. 2329. An act for the relief of John A. Olson;

H. R. 2589. An act for the relief of Archie O. Sprague;

H. R. 2718. An act for the relief of M. F. Snider;

H. R. 2722. An act to reimburse James J. Burns, jr., for damages to touring car by Government-owned motor truck;

H. R. 3253. An act for the relief of Lieut. Commander Garnet Hulings, United States Navy;

H. R. 3295. An act for the relief of Sherman P. Browning;

H. R. 4258. An act to credit the accounts of James Hawkins, special disbursing agent, Department of Labor;

H. R. 4361. An act for the relief of the McHan Undertaking Co.;

H. R. 5069. An act for the relief of Alice Barnes;

H. R. 5089. An act for the relief of Christine Mygatt;

H. R. 5787. An act for the relief of J. C. Herbert;

H. R. 5930. An act for the relief of William J. Donaldson;

H. R. 6057. An act for the relief of George Bolko & Co. (Inc.);

H. R. 6246. An act to establish a national military park at the battle field of Stones River, Tenn.;

H. R. 6584. An act for the relief of Charles O. Schmidt;

H. R. 6588. An act for the relief of Franklin Mott Gunther;

H. R. 7081. An act to authorize reimbursement of the government of the Philippine Islands for maintaining alien crews prior to April 6, 1917;

H. R. 7703. An act for the relief of James F. McCarthy;

H. R. 8278. An act for the relief of A. B. Cameron;

H. R. 8477. An act for the relief of Frank J. Dwyer;

H. R. 8932. An act for the relief of William F. Redding;

H. R. 9063. An act for the relief of Marie Yvonne Gueguinou;

H. R. 9150. An act for the relief of the Niagara Machine & Tool Works;

H. R. 9173. An act providing for the revision and printing of the index to the Federal Statutes;

H. R. 9427. An act for the relief of Gilbert B. Perkins;

H. R. 9804. An act for the relief of the Pacific Steamship Co., of Seattle, Wash.;

H. R. 10035. An act for the relief of Albert H. Hosley;

H. R. 10178. An act to confer authority on the Court of Claims to hear and determine the claim of Lester P. Barlow against the United States;

H. R. 10422. An act for the relief of William J. O'Brien;

H. R. 10456. An act for the payment of claims for pay, personal injuries, loss of property, and other purposes incident to the operation of the Army;

H. R. 10496. An act for the relief of John A. Thornton;

H. R. 10976. An act to amend the act entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment," approved May 30, 1908, as amended, and for other purposes;

H. R. 11852. An act for the relief of M. Tillery and Mrs. V. D. Tillery;

H. R. 12334. An act for the relief of W. Randall Spurlock;

H. R. 12388. An act for the relief of K. I. Ward;

H. R. 12404. An act for the relief of Shadyside Bank;

H. R. 12623. An act for the relief of the owner of the steamer *Squantum*;

H. R. 12625. An act for the relief of the owner of scow 65H;

H. R. 13143. An act for the relief of the Charlotte Chamber of Commerce and Capt. Charles G. Dobbins, Army disbursing officer;

H. R. 13477. An act to amend the act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," approved July 3, 1926, and for other purposes;

H. R. 14071. An act for the relief of Garfield Hankins;

H. R. 15252. An act to provide relief for certain natives of Borongan, Samar, Philippine Islands, for rental of houses occupied by the United States Army during the years 1900 to 1903;

H. R. 15253. An act for the relief of certain officers and former officers of the Army of the United States;

H. R. 15305. An act for the relief of Ben Wagner;

H. R. 15668. An act authorizing negotiations for the acquisition of a site for the farmers' produce market, and for other purposes;

H. R. 16058. An act for the relief of certain officers of the Army of the United States;

H. R. 16182. An act for the relief of William H. Lindsay;

H. R. 16207. An act to authorize an appropriation to enable the Secretary of the Interior to provide an adequate water supply for the Sequoyah Orphan Training School near Tahlequah, Cherokee County, Okla.;

H. R. 16287. An act for the irrigation of additional lands within the Fort Hall Indian irrigation project in Idaho;

H. R. 16389. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, etc.;

H. R. 16551. An act to permit the granting of Federal aid in respect of certain roads and bridges;

H. R. 16744. An act to authorize a per capita payment from tribal funds to the Fort Hall Indians;

H. R. 17063. An act for the relief of C. G. Duganne and A. N. Ross;

H. R. 17108. An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Butler Lumber Co. (Inc.);

H. R. 17111. An act to authorize an appropriation to rehabilitate the Picatinny Arsenal in New Jersey;

H. R. 17138. An act authorizing an appropriation to enable the Secretary of Agriculture to cooperate with the South Carolina Agricultural Experiment Station;

H. R. 17230. An act for the relief of Olof Nelson;

H. R. 1133. An act for the relief of John G. Pauley;

H. R. 1690. An act for the relief of Thomas P. McSherry;  
 H. R. 5275. An act for the relief of Theodore W. Goldin;  
 H. R. 6097. An act to accept the cession by the State of Arkansas of exclusive jurisdiction over a tract of land within the Hot Springs National Park, and for other purposes;  
 H. R. 6143. An act to correct the military record of William J. Bodiford;  
 H. R. 6422. An act to correct the military record of George W. Kelly;  
 H. R. 6847. An act to correct the military record of Thornton Jackson;  
 H. R. 10612. An act to withdraw certain public lands from settlement and entry;  
 H. R. 11396. An act for the relief of Lawrence F. Nelson;  
 H. R. 11487. An act granting a right of way to the county of Imperial, State of California, over certain public lands for highway purposes;  
 H. R. 11929. An act to authorize the Secretary of the Interior to sell to Sylvester Troth Smith, Horace Smith, Robert Hill Smith, Mary Smith De Jean, Mary Ellen Smith, and W. C. Scott, in possession under mesne conveyances from Leroy Stafford, section 48, township 1 south, range 2 east, and section 38, township 1 north, range 2 east, Louisiana meridian, Rapides Parish, La.;  
 H. R. 12532. An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes;  
 H. R. 13050. An act releasing and granting to the State of Utah and the University of Utah any and all reversionary rights of the United States in and to the grounds now occupied as a campus by the University of Utah;  
 H. R. 13212. An act granting certain lands to the city of Bountiful, Utah, to protect the watershed of the water-supply system of said city;  
 H. R. 15624. An act for the relief of Andrew McLaughlin;  
 H. R. 15650. An act to amend section 10 of the act entitled "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes," approved May 14, 1898 (30 Stat. L. p. 409).  
 H. R. 16017. An act granting public lands to the city of Golden, Colo., to secure a supply of water for municipal and domestic purposes;  
 H. R. 16336. An act for the relief of Robert F. Neeley and Franklin E. Neeley;  
 H. R. 16845. An act to amend section 1 of the act approved May 26, 1926, entitled "An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled 'An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes'"; and  
 H. R. 16957. An act granting patent to O. E. Moore.  
 On March 4, 1927:  
 H. R. 9640. An act to add certain lands to the Shoshone National Forest, Wyo.;  
 H. R. 15826. An act to add certain lands to the Coville National Forest, Wash.;  
 H. R. 10467. An act authorizing the city of Boulder, Colo., to purchase certain public lands;  
 H. R. 8739. An act for the relief of Lim Toy, of the city of Boston, Mass.;  
 H. R. 16461. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war and other wars;  
 H. R. 10504. An act to amend the act approved June 4, 1897, by authorizing an increase in the cost of lands to be embraced in the Shiloh National Military Park, Pittsburg Landing, Tenn.; and  
 H. R. 12563. An act for the relief of Walter B. Avery and Fred S. Gichner.

## LEAVE TO ADDRESS THE HOUSE

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for two minutes.  
 Mr. TINCHER. There will be no addresses by unanimous consent. I asked for two minutes in which to bid the House good-bye, and was denied.  
 Mr. CONNERY. I did not object to the gentleman's request; I did not object.  
 The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. TINCHER]?  
 Mr. CONNERY. Mr. Speaker, reserving the right to object—  
 Mr. BLACK of New York. Mr. Speaker, I object.  
 Mr. BRITTEN. Mr. Speaker, I ask unanimous consent to address the House for one minute in order to make an announcement to the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRITTEN. I should like to suggest to the gentlemen present that immediately after 12 o'clock and the adjournment of the House the Navy Band will come in and a very distinguished gentleman on the right-hand side of the House will be requested to sing some of our popular songs, and he will be accompanied at the piano by a very distinguished lady from this side of the House. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Kansas to proceed for two minutes?

Mr. CONNERY. Mr. Speaker, reserving the right to object—

The SPEAKER. Is there objection?

Mr. BLACK of New York. Mr. Speaker, I object.

Mr. O'CONNOR of New York rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. TINCHER] be allowed two minutes in which to address the House, and that the gentleman from Massachusetts [Mr. CONNERY] be allowed two minutes.

The SPEAKER. Is there objection?

Mr. MURPHY. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas be allowed to address the House for two minutes.

The SPEAKER. Is there objection? The Chair hears none. [Applause.]

## AN ESTIMATE OF CONGRESS

Mr. TINCHER. Mr. Speaker and gentlemen of the House, I do not know that anyone ever went out of the House in as good humor toward the House, and I know no one ever went out in better humor toward the House than I am going out to-day. I have had eight years with the best club of men called together in America or any other country. [Applause.]

I just want to assure you of one thing: That there will never come a time in my life—because I am not going to have any other legislative experience, so my mind is made up—but what the House of Representatives of the American Congress will have one defender in private life. [Applause.] I do not think there is another parliamentary body in the world where a man has the chance he has in the House of Representatives. Just so sure as water will rise to its level, just so sure will any man who is elected to the American Congress rise to his level. There is a disposition here not to take and boost a man along, but there is a disposition here to help you along and go along with you, and there is no man in the American Congress who can truthfully say that in the last eight years his colleagues have kept him from having a fair chance. [Applause.] There is no club or body of men where a man is afforded the chance he has here.

It has been a pleasure for me to have the personal friendship of the Members of Congress and of the leaders of the House, and when I say that I do not confine it to my side. I think the leadership in the House of Representatives to-day, at the close of the Sixty-ninth Congress, of both the majority and the minority, is the greatest leadership in any lawmaking body in the world. [Applause.] While I shall go out of Congress just as ardent a partisan as I came in, I go out with the highest personal regard for the minority, the same as I have for the majority.

I want to say now that unless there are some reforms in the United States in other bodies [laughter] the House of Representatives will continue, as it has for the last four years, to be known by the people of the United States as the only hope. [Laughter and applause.]

I desire to express to you my heartfelt appreciation of the association with all of you, and I cordially invite any of you that ever get out of public life long enough to make a trip to Kansas to come and see me, and I bid you all goodbye. [Applause.]

## RESPONSIBILITY FOR VETERANS' LEGISLATION

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONNERY. Mr. Speaker and gentlemen of the House, I merely wish to take these two minutes in the closing minutes of the Congress to answer my distinguished colleague from Massachusetts [Mr. LUCE].



I told the American Legion composed of Republicans and Democrats at the State convention of the American Legion in Massachusetts last summer that the whole responsibility for \$30,000,000 being cut off of a \$39,000,000 veterans' program for the disabled service men of the United States was due to the Republican leaders in the House of Representatives [applause]; and I dare the chairman of my committee, the gentleman from Massachusetts [Mr. LUCE], or any member of the Veterans' Committee to deny that we were given our orders to cut \$30,000,000 off of that \$39,000,000 bill or it would never see the floor of the House of Representatives, and I am waiting for an answer from either the chairman of my committee or the gentleman from Massachusetts [Mr. LUCE]. [Applause.]

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RANKIN. The gentleman from Massachusetts [Mr. LUCE] charged the Democratic Party with being responsible for this veterans' legislation not going through. Just which party is responsible, if either, in this House or in the Congress?

Mr. CONNERY. We know that the Republican leaders in this House and the Republican Party of this House are responsible not only for the veterans getting cut \$30,000,000 on the disabled veterans' proposition, which was recommended by General Hines and by every veterans' organization of the United States, but we know also that in four years we have never had one bill for the disabled veterans of the United States brought in on the floor of this House except under a suspension of the rules, and this has all been under the Republican administration. [Applause.]

#### THE WORK OF CONGRESS

Mr. TILSON. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. TILSON. Mr. Speaker, I think it a most inappropriate time for the gentleman from Massachusetts [Mr. CONNERY], within seven minutes of the close of the session, to make a bitterly partisan speech, involving charges and recriminations, when there is no opportunity for anyone to present the facts. [Applause.] In the two precious minutes remaining to me I wish to utter a few personal words of quite a different character, and then, under the leave already granted, extend in the Record the remarks I had intended to make had there been time.

Mr. Speaker, the Sixty-ninth Congress is about to pass into history. Before it passes, I wish first to thank personally all the Members of the House for their uniform courtesy and kindness to me during the past two years. To my colleagues on my own side of the House are due my thanks not only for their personal courtesy and kindness but also for their willingness to bear their share of the responsibility that always attaches to the party in power. [Applause.] This is not a one-man job, and no man could do it satisfactorily alone. By teamwork much has been and can be achieved. My thanks are also due to my colleagues on the minority side for their considerate self-restraint in refraining from placing obstacles in the way and, in fact, for the cordial good will they have always manifested toward me. The distinguished minority leader, the gentleman from Tennessee [Mr. GARRETT], has, in my judgment, correctly interpreted the sentiment of his side of the House in giving me the most helpful cooperation for the orderly dispatch of the business of this House in all things of a nonpartisan character. [Applause.] It was evident that the filibustering episode of last evening was a partisan affair.

Few Congresses have come and gone leaving a record of better performance for things worth while being done. In the election of 1924, at which the present Congress was chosen, the outstanding questions before the public were tax reduction, continued economy in the administration of public affairs, and an emphatic opposition to radical proposals of changes in our Government. There can be no doubt that the large vote for President Coolidge and the substantial Republican majority in the Congress then elected were the direct outcome of the consideration of these questions by the people and the resulting action of the voters.

Weeks before this Congress first convened the members of the Committee on Ways and Means met informally and by the first Monday in December, 1925, were ready to report a tax reduction bill so satisfactory that, in the light of the preceding election, even our Democratic friends found themselves willing to join with us in its passage. The bill became a law the early part of 1926, and in its operation has fully justified all the good things predicted of it, thereby scoring a record of general approval rarely accorded to any legislation.

Only once in a while is it possible and practicable to reduce taxes, but the urge and insistence for increases in the expenditure of public moneys are never slackened. It is therefore necessary to guard incessantly against assaults upon the Treasury; and this is far more difficult work than reducing taxes. During the two sessions of this Congress the great supply bills have been most carefully considered—first by the great Appropriations Committee, and then by the House itself. The great chairman of the Appropriations Committee [Mr. MADDEN] always calls his committee together weeks ahead of the convening of Congress in order to prepare the great supply bills. Cooperating loyally with the Budget, though sometimes reducing and sometimes exceeding its recommendations, on the whole, the Appropriations Committee and the House have gone below rather than above its estimates.

Of even greater importance than tax reduction or its corollary care in making expenditures is the restraint upon unnecessary authorizations that has been exercised during the two sessions of this Congress. Great has been the pressure for legislation involving the ultimate expenditure of untold millions. Many of the proposals have been of the most attractive character, such as would have pleased the hearts of all to comply with, but which would have made in the aggregate not only a deficit in the Treasury but would have necessitated the immediate imposition of new taxes. All of these insistent demands have been carefully studied, and such as have appeared wise or necessary have been acceded to, but by far the greater part of them die either in committee or on the calendar as this Congress expires.

No Congress should be judged by the quantity of legislation it produces. As a rule there is too much rather than too little legislation. It would be a much safer criterion to judge the work of a Congress by the number of bills dying at the end of the Congress than by the number of laws enacted. With the exception of private bills and bridge bills, the present Congress has not added unduly to the mass of statutory laws.

The very considerable number of private bills considered and passed is the result of a determined effort to give just claims for relief against the Government, many of them long delayed, a fair chance to be considered, while the large number of bridge bills is the direct result of the remarkable activity in road building throughout the country. Aside from these two special types of legislation and the annual appropriation bills the output of laws during the Congress just closing has been somewhat small, but much of that which has been enacted is of an important character.

The 1926 revision of the revenue laws has been referred to. It was the outstanding feature of the first session of the Congress. The foreign-debt-funding agreements with most of our European debtors also featured the first session. Again in 1926, prior to the convening of the second session, the Committee on Ways and Means met, and this time worked out a plan for the payment of the claims of our citizens against former alien enemies and the return of the property belonging to former alien enemies, which was satisfactory to all concerned, thus laying the foundation for the solution of a difficult and troublesome problem that has remained unsettled since the World War. It is cause for deep and genuine regret that in another body matters of comparatively trifling importance have been permitted to stand in the way of putting this satisfactory plan into immediate operation.

During the last four years a persistent effort has been made to amend the national banking laws so as to liberalize restrictions upon national banks and place them more nearly on a parity with State banks and at the same time to extend the charter of the Federal reserve system before the existence of that institution should be imperiled. The national banks are the backbone and mainstay of the Federal reserve system, so that their continuance in the system is a matter of very great importance. After a considerable controversy, chiefly concerning branch banking, a reasonably satisfactory bill has finally been enacted into law.

Prior to the opening of the Sixty-ninth Congress such rapid development had taken place in the field of radioactivity that necessity for regulatory legislation was clearly indicated. It soon became apparent that with only a limited number of available wave lengths and the rapidly increasing number of broadcasting stations throughout the country the air would soon be overcrowded, and such was the result. Some kind of regulation was absolutely imperative. A difference of opinion between the House and Senate as to the machinery to be set up for applying regulation delayed the final enactment of the legislation, but it is now a law and the board to administer the law has been named.

The farm-relief problem, concerning which so much has been said during both sessions of this Congress, remains unsolved.

That it has not been solved is due to no lack of earnest effort, as it has had the attention of both branches of Congress during a considerable portion of the time of both sessions. It is probably the only fair statement to make that the inherent difficulty of the problem itself is responsible for the failure thus far to solve it. However, this has not been a controversy between the two political parties in Congress, both parties being almost evenly divided in the attempt to pass a bill in both sessions.

I shall not attempt to summarize or even enumerate the many other bills attracting less public attention, but still of very great importance, that have been considered and passed during this Congress. They include a considerable number and rather a wide range of subjects, such as amendatory legislation for veterans, including pensions and additional hospital facilities, improvement of rivers and harbors, a businesslike public buildings program, needed legislation for the District of Columbia, and many other matters incidental to the needs and requirements of a great and growing country.

The gentleman from Illinois [Mr. MADDEN], chairman of the Committee on Appropriations, in his fiscal statement has gone more at length into details as to the state of the revenues and public expenditures. It will suffice for this brief summary to say that the tariff law enacted in 1922 continues to serve most satisfactorily the purpose for which it was enacted, by protecting, in most cases adequately, American labor and industry and at the same time bringing into the Public Treasury the unprecedented sum of about six hundred millions a year.

The revenue act placed on the statute books in the first session of the present Congress continues to demonstrate what Secretary Mellon and those who agreed with him in connection with the controversy over the revision of 1924 claimed, that a lower tax rate, if reasonable, will raise more revenue than an unreasonably higher rate. Therefore, we have the satisfaction of seeing a surplus instead of a deficit in our revenues and may begin to entertain the hope that with constant and persistent care in authorizing drafts upon the Treasury we may soon look forward to another moderate reduction of taxes. Meanwhile, public expenditures are being held down about \$2,000,000,000 annually below what they were in 1920, the public debt grows gradually less—from about \$24,000,000,000 in 1921, and \$20,000,000,000 in 1925, to about \$19,000,000,000 in 1927—and the annual interest burden year by year grows lighter, from almost exactly \$1,000,000,000 in 1921, and about \$840,000,000 in 1925, to about \$785,000,000 in 1927.

No Member of the Sixty-ninth Congress need fear a comparison of the record made by it with that of any Congress in our history. There has been no war or any other great untoward event during the period of the Congress, but peace no less than war has its problems great and small. We are now, and shall be for years yet to come, wrestling with the problems directly and indirectly growing out of the great war. Those confronting us during this Congress have been squarely faced, and for the most part successfully dealt with. We submit with confidence the results of our labors to the unprejudiced judgment of our several constituencies and of our fellow citizens in all parts of the country. [Applause.]

#### RESOLUTION OF THANKS TO THE SPEAKER

The SPEAKER. Will the gentleman from North Carolina [Mr. POU] be good enough to take the chair? [Applause.]

Mr. POU took the chair.

Mr. GARRETT of Tennessee. Mr. Speaker, I offer the resolution which I send to the desk.

The SPEAKER pro tempore (Mr. POU). The gentleman from Tennessee offers a resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That the thanks of this House are presented to the Hon. NICHOLAS LONGWORTH, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair during the present term of Congress.

Mr. GARRETT of Tennessee. Mr. Speaker, this resolution represents the deliberate feeling of all the Members of the House without reference to partisan alliance. We feel there is a great man in a great place, who has done great things in a great way. [Applause; the Members rising.]

The SPEAKER pro tempore. The question is on the adoption of the resolution offered by the gentleman from Tennessee.

The resolution was adopted.

The SPEAKER resumed the chair.

The SPEAKER. My colleagues, I am deeply affected by this evidence of your regard and esteem. So much so that I have entirely forgotten, as I must confess, what I had intended to say in formal language. [Laughter and applause.]

As my distinguished friend, the leader of the Democracy, has said, the Speakership is a great office—the greatest legislative office in the world.

I think a man could have either the best time of his life or the worst time of his life while serving as Speaker of this House. [Laughter and applause.] It has been my good fortune to be in the first category. I have had the best time of my life, but it has been only because I have had the cooperation and good will of all of you.

Even beyond the respect I have for the dignity and responsibility of this position, my appreciation of its honor has come to me more from the assurance of the confidence and esteem that you have vouchsafed to me than from the office itself. I can truthfully say, and I doubt whether any former Speaker could say more, that from the day I was sworn in until this hour, no word that has passed between any Member of this House and myself has been in the slightest degree unfriendly. [Applause.] I feel that everyone of you is my personal friend and well wisher, just as I am yours. [Applause.]

We are about to adjourn this session of Congress, which, in legislative efficiency, in bringing to legislative fruition the desires and the hopes and the aspirations of the people, will match favorably with that of any Congress in the history of the United States. [Applause.] We have shown, and it is particularly evident at this moment, that in the House of Representatives a majority can at all times carry out the will of the people of the United States and that a minority can at no time thwart it.

To sum up all, I could say no better say in formal language: I thank you, everyone of you, for your help and cooperation during the sessions of this Congress.

The hour of 12 o'clock having arrived, under the mandate of the Constitution, I declare the House of Representatives of the Sixty-ninth Congress adjourned without day. [Applause.]

#### ADJOURNMENT SINE DIE

Accordingly, at 12 o'clock noon, the House adjourned sine die.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1050. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Tarrytown Harbor, N. Y.; to the Committee on Rivers and Harbors.

1051. A letter from the Secretary of War, transmitting report from the Acting Chief of Engineers on preliminary examination of Harlem River, N. Y.; to the Committee on Rivers and Harbors.

1052. A letter from the Secretary of War, transmitting report from the Acting Chief of Engineers on preliminary examination of York River, Va., and thence up the Pamunkey River to a point near and above West Point, Va.; to the Committee on Rivers and Harbors.

1053. A letter from the Secretary of War, transmitting report from the Acting Chief of Engineers on preliminary examination and survey of Oconee River, Ga., Ocmulgee River, Ga., and the Altamaha River system, with a view to improvement for navigation in cooperation with local interests; to the Committee on Rivers and Harbors.

1054. A letter from the Secretary of War, transmitting report from the Acting Chief of Engineers on preliminary examination and survey of Belhaven Harbor, Belhaven, N. C. (H. Doc. No. 778); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

1055. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Cashie River, N. C., below Windsor (H. Doc. No. 779); to the Committee on Rivers and Harbors and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McSWAIN: Committee on Military Affairs. H. R. 12566. A bill authorizing the Secretary of War to convey a certain portion of the military reservation at Fort McArthur, Calif., to the city of Los Angeles, Calif., for street purposes; with amendment (Rept. No. 2310). Referred to the Committee of the Whole House on the state of the Union.

Mr. KOPP: Committee on Labor. H. R. 17069. A bill to require contractors and subcontractors engaged on public works of the United States to comply with State laws relating to



hours of labor and wages of employees on State public works; without amendment (Rept. No. 2311). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SPEAKS: Committee on Military Affairs. H. R. 17100. A bill for the relief of Jennie Carroll, Mabel H. Lazear, Emily Lawrence Reed, and John R. Kissinger; with an amendment (Rept. No. 2312). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 17407) to provide for the reduction of immigration quotas; to the Committee on Immigration and Naturalization.

#### MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the State Legislature of the State of Texas, indorsing Senate bill 4746; to the Committee on Agriculture.

By Mr. ALDRICH: Memorial of the General Assembly of the State of Rhode Island, requesting Congress to abolish the Federal estate tax; to the Committee on Ways and Means.

By Mr. BURDICK: Memorial of the General Assembly of the State of Rhode Island, requesting Congress to abolish the Federal estate tax; to the Committee on Ways and Means.

By Mr. O'CONNELL of Rhode Island: Memorial of the State Legislature of the State of Rhode Island, requesting Congress to abolish the Federal estate tax; to the Committee on Ways and Means.

By Mr. VARE: Memorial of the State Legislature of the State of Pennsylvania, requesting Congress to abolish the Federal estate tax; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 17408) granting a pension to Annie W. Adams; to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 17409) granting an increase of pension to Margaret J. McQuary; to the Committee on Invalid Pensions.

By Mr. GREEN of Florida: A bill (H. R. 17410) granting an increase of pension to E. Jeannette Redding; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 17411) for the relief of the Rochester Country Club, Rochester, Ind.; to the Committee on Claims.

By Mr. HOWARD: A bill (H. R. 17412) granting a pension to Cornelia Worker; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 17413) granting a pension to Alonzo P. Lowry; to the Committee on Invalid Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 17414) granting a pension to Burton Homer Barger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17415) granting a pension to Cora Dell Barger; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7583. Petition of voting citizens of the United States, believing that all Members of Congress should be native born, respectfully urge your passage of the Wilson bill, amending the Constitution in that respect; to the Committee on the Judiciary.

7584. By Mr. BURTNESS: Petition of 14 citizens of Granville, N. Dak., urging the enactment of legislation to increase the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7585. Also, petition of 24 citizens of Grand Forks, N. Dak., urging that legislation be enacted increasing the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7586. By Mr. CULLEN: Resolution adopted by the Lexington Post of the American Legion, urging change in the present immigration laws; to the Committee on Immigration and Naturalization.

7587. By Mr. ROY G. FITZGERALD: Memorial of Santa Monica Bay (Calif.) Womens' Club executive board, unanimously urging immediate passage of House bill 4548 for retirement of disabled emergency officers of World War to correct unjust discrimination; to the Committee on World War Veterans' Legislation.

7588. By Mr. GALLIVAN: Petition of Massachusetts department, the American Legion, Dennis H. Haverty, department adjutant, statehouse, Boston, Mass., urging passage of bill for retirement of disabled emergency officers of the World War; to the Committee on World War Veterans' Legislation.

7589. Also, petition of New England Photoengravers' Association, Boston, requesting immediate passage of bill providing for revision of postal rates; to the Committee on the Post Office and Post Roads.

7590. By Mr. GARBER: Letter from Kinnear & Falconer, solicitors and notaries public at Stonehaven, Scotland, on behalf of the people of their country who are holders of defaulted obligations of the Southern States of the United States; to the Committee on Claims.

7591. Also, letter urging the enactment of House bill 359, to provide for the abolishment of the Personnel Classification Board, and for House Joint Resolution 321, to create a congressional commission to study the Federal retirement system, from Luther C. Steward, president of the National Federation of Federal Employees; to the Committee on the Civil Service.

7592. By Mr. GARRETT of Tennessee: Petition of citizens of Tipton County, Tenn., urging Civil War pension legislation; to the Committee on Invalid Pensions.

7593. By Mr. HOWARD: Petition submitted by Mr. J. A. Jones, Bloomfield, Knox County, Nebr., protesting against the passage of House bill 10311 or any other bill making the observance of the Sabbath compulsory under civil penalty; to the Committee on the District of Columbia.

7594. Also, petition submitted by Rev. J. D. Johnson and 16 others of Norfolk, Madison County, Nebr., protesting against the passage of House bill 10311 or any other bill making the observance of the Sabbath compulsory under civil penalty; to the Committee on the District of Columbia.

7595. By Mr. HUDDLESTON: Petition of J. I. Hankins, John P. Colman, and numerous others, of Birmingham, Ala., in behalf of more liberal pensions; to the Committee on Invalid Pensions.

7596. By Mr. HUDSON: Petition of citizens of the sixth district of Michigan, protesting against the passage of the so-called compulsory Sunday observance bill; to the Committee on the District of Columbia.

7597. By Mr. JOHNSON of Washington: Petition of the citizens of Winlock, Wash., in opposition to Sunday legislation; to the Committee on the District of Columbia.

7598. By Mr. MAGEE of Pennsylvania: Memorial of Pittsburgh (Pa.) Chapter of the Conference on Immigration Policy, urging amendment of immigration law to admit wives and unmarried children of declarants legally entering the country prior to June 30, 1924; to the Committee on Immigration and Naturalization.

7599. By Mr. MAGRADY: Memorial of house of representatives, State of Pennsylvania, petitioning the present Congress of the United States to repeal immediately the Federal estate-tax provisions of the revenue law effective the 26th day of February, 1926, and vacate this field of taxation in time of peace; to the Committee on Ways and Means.

7600. By Mr. MANLOVE: Petition of Charles A. Patterson, Mrs. Gardner, Roy Harris, and members of the O. P. Morton Post, No. 53, numbering nearly 200 persons, urging legislation for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7601. Also, petition of Sarah E. Coats, Warden Coffman, Mary C. Gilbreth, and 65 other residents of Jasper County, Mo., urging legislation for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7602. Also, petition of C. A. Stauffer, E. C. Schrader, R. A. Pierce, and 115 other citizens of Newton County, Mo., protesting against the enactment of class legislation; to the Committee on the Judiciary.

7603. Also, petition of Bert Webb, R. R. Carter, John King, D. C. Houser, and 60 other residents of Jasper, Mo., urging that legislation to bring relief to veterans and widows of veterans of the Civil War be enacted; to the Committee on Invalid Pensions.

7604. By Mr. MILLER: Petition of citizens of Seattle, Wash., in favor of House bill 10311, the Lankford Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

7605. By Mr. O'CONNELL of New York: Petition of the Mississippi Valley Association, St. Louis, Mo., expressing its ap-

preciation for the valuable work of Congressman NEWTON of Missouri during his congressional service; to the Committee on Rules.

7606. Also, petition of Lexington Post, No. 108, American Legion, New York City, favoring amendment to the immigration laws; to the Committee on Immigration and Naturalization.

7607. Also, petition of the New York Patent Law Association, opposing the passage of Senate bill 4927; to the Committee on Patents.

7608. By Mr. PORTER: Petition of certain citizens of Pittsburgh, Pa., opposing the passage of compulsory Sunday observance bill; to the Committee on the District of Columbia.

7609. By Mr. PRATT: Petitions of 56 citizens of Columbia County, N. Y., urging amendment to the Constitution by which none but natural-born citizens of the United States would be eligible for election to the Congress of the United States; to the Committee on the Judiciary.

7610. By Mr. SMITH: Petition signed by citizens of Emmett, Idaho, protesting against the bill (H. R. 10311) enforcing the observance of Sunday; to the Committee on the District of Columbia.

7611. Also, petition signed by 21 citizens of Buhl, Idaho, protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

7612. By Mr. STALKER: Petition signed by sundry citizens of Corning, Steuben County, N. Y., urging the enactment of a Civil War pension bill at this session of Congress, for a further increase in pension for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7613. By Mr. THURSTON: Petition of citizens of Osceola, Iowa, relating to legislation in favor of veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

7614. Also, petition of citizens of Moulton, Appanoose County, Iowa, urging that all pending controversies with Mexico be arbitrated; to the Committee on Foreign Affairs.

7615. By Mr. WURZBACH: Petition of Rev. H. McCrane, Rev. R. E. Brown, A. Phillips, and other residents of Corpus Christi, Tex., favoring the passage of bills providing increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

7616. Letter from James E. Smith, president of the Mississippi Valley Association, expressing its appreciation for the valuable work of Congressman CLEVELAND A. NEWTON during his congressional service, and Members of both House and Senate who have generously given their assistance in the past by favoring and supporting meritorious waterway legislation; to the Committee on Rivers and Harbors.

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The first of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which has been a landmark in the history of the medical profession. This act has been a great success for the medical profession, and it is a great credit to the American Medical Association that it has been able to secure the passage of this act. The second of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which has been a landmark in the history of the medical profession. This act has been a great success for the medical profession, and it is a great credit to the American Medical Association that it has been able to secure the passage of this act. The third of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which has been a landmark in the history of the medical profession. This act has been a great success for the medical profession, and it is a great credit to the American Medical Association that it has been able to secure the passage of this act.

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